

quarter of the fiscal year 1945; to the Committee on the Civil Service.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PETERSON of Florida: Committee on the Public Lands. Interim report pursuant to House Resolution 281. Resolution authorizing a study of certain public-land problems and the use of public lands in the rehabilitation of veterans (Rept. No. 1884). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on the Public Lands. H. R. 4286. A bill to relinquish the title of the United States to certain lands in the county of Los Angeles, State of California; without amendment (Rept. No. 1885). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on the Public Lands. H. R. 4697. A bill providing for the appointment of a United States commissioner for the Big Bend National Park in the State of Texas, and for other purposes; with amendment (Rept. No. 1886). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on the Public Lands. H. R. 4917. A bill conferring upon the State of Montana authority to exchange for other lands certain lands selected by the State of Montana for the use of the University of Montana for biological station purposes pursuant to the act of March 3, 1905 (33 Stat. 1080); without amendment (Rept. No. 1887). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on the Public Lands. H. R. 5232. A bill to transfer jurisdiction over the Chattanooga National Cemetery, Chattanooga, Tenn., from the Department of the Interior to the War Department, and for other purposes; without amendment (Rept. No. 1888). Referred to the Committee of the Whole House on the state of the Union.

Mr. BOREN: Special Subcommittee on Investigation of Restrictions on Brand Names and Newsprint of the Committee on Interstate and Foreign Commerce. Interim report pursuant to House Resolution 98. Resolution to conduct an investigation with respect to contemplated requirements with respect to labeling, production, marketing, and distribution of articles and commodities (Rept. No. 1889). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 5363. A bill to amend the joint resolution of January 27, 1942, entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute"; to the Committee on Foreign Affairs.

By Mr. DWORSHAK:

H. R. 5364. A bill to authorize the construction and operation and maintenance of the initial unit of the Mountain Home project; to the Committee on Irrigation and Reclamation.

By Mr. GOODWIN:

H. R. 5365. A bill to repeal the automobile-use tax; to the Committee on Ways and Means.

By Mr. LEWIS:

H. R. 5366. A bill to amend an act known as an act to amend the Tariff Act of 1930 (Public, No. 316, 73d Cong.), approved June 12, 1934, as extended by Public Resolution No. 10, Seventy-fifth Congress, approved March 1, 1937, by withdrawing from the President power to decrease existing rates of duty or transferring any article from the dutiable to free lists; to the Committee on Ways and Means.

H. R. 5367. A bill to provide a quota for earthenware, crockeryware, china, porcelain, and other vitrified wares imported into the United States; to the Committee on Ways and Means.

H. R. 5368. A bill to provide a quota for articles made wholly or in chief value of glass imported into the United States; to the Committee on Ways and Means.

H. R. 5369. A bill to amend section 1402 of title 19 United States Code so as to require all customs duties on merchandise imported into the United States to be based upon the United States value thereof; to the Committee on Ways and Means.

By Mr. MAGNUSON:

H. R. 5370. A bill to provide that periods of vocational training undertaken by disabled veterans in preparing for employment by the United States shall be credited for retirement purposes; to the Committee on the Civil Service.

By Mr. VOORHIS of California:

H. R. 5371. A bill to amend the act of July 15, 1940, pertaining to emergency officers' retirement benefits; to the Committee on Military Affairs.

By Mr. IZAC:

H. R. 5372. A bill to further amend the Pay Readjustment Act of 1942; to the Committee on Military Affairs.

By Mr. HOFFMAN:

H. Res. 640. House resolution requesting information from the Secretary of Labor as to number, etc., of plants taken over by Government departments under Executive order; to the Committee on Labor.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the United States of Venezuela, sending a fervent message of good will to the legislative bodies of the United Nations, and the expression of its hope for the victory of the democratic armies today engaged in the liberation of Europe; to the Committee on Foreign Affairs.

Memorial of the President of the National Congress of Venezuela, expressing his sincere good wishes and hopes for the victory of the armies who are fighting with such courage for the liberation of Europe; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ROLPH:

H. R. 5373. A bill for the relief of the Van Arsdale-Harris Lumber Co., Inc.; to the Committee on Claims.

By Mr. ROONEY:

H. R. 5374. A bill to grant an honorable discharge from the military service of the United States to William Rosenberg; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6125. By Mr. BRUMBAUGH: Resolution of members of the Fraternal Order of Police,

Mountain City Lodge, No. 8, Altoona, Pa., requesting the enactment of the Townsend bill, H. R. 1649; to the Committee on Ways and Means.

6126. By Mr. CANNON of Missouri: Petition of sundry resident of St. Charles, Matson, Augusta, Defiance, West Alton, and Berger, Mo., requesting that dikes constructed in the Missouri River be removed as the narrow channel will not permit the escape of floodwaters; to the Committee on Flood Control.

6127. By Mr. COCHRAN: Petition of the Barry Wehmiller Machinery Co., signed by 210 St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

6128. By Mr. GRAHAM: Petition of the Lawrence County, Pomona Grange of Lawrence County, Pa., favoring the discontinuance of all unnecessary Government regulations and regulatory agencies thus giving the law of supply and demand an opportunity to function again; to the Committee on Expenditures in the Executive Departments.

6129. Also, petition of the Lawrence County, Pomona Grange of Lawrence County, Pa., favoring Government assistance to the veterans in securing homes of their own choice; to the Committee on World War Veterans' Legislation.

6130. By Mr. HERTER: Petition signed by sundry citizens of Rosindale, Mass., protesting inhuman treatment accorded Italian prisoners of the service units in Seattle, Wash., at the hands of Negro soldiers; to the Committee on Military Affairs.

6131. By Mr. FLOESER: Petition of Homer D. Cooke and 30 other petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

6132. By Mr. GWYNNE: Petition of Mrs. D. L. Stamm and numerous other residents of Cedar Falls, Iowa, in favor of the bill S. 860; to the Committee on the Judiciary.

6133. Also, petition of Mrs. A. C. Dillon and numerous other residents of Cedar Falls, Iowa, urging passage of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

6134. By the SPEAKER: Petition of the Bar Association of Hawaii, petitioning consideration of their resolution with reference to the trials of all members of the civilian population of the Territory of Hawaii charged with crimes or offenses against other than the laws of war in order that the trials shall be by the duly constituted and functioning civil courts of said Territory or the Federal court of said Territory and not by provost courts maintained in said Territory by the military authorities; to the Committee on the Judiciary.

## SENATE

FRIDAY, SEPTEMBER 15, 1944

(Legislative day of Friday, September 1, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal and blessed God, in the midst of the toiling days when the fever and fret of perilous times have taken their toll of our spirits, we are grateful for quiet arbors where at an altar of contrition we may bow for Thy forgiveness and cleansing. With the refreshing dew of Thy strengthening grace upon us, may we go forth on our way attended by the

vision splendid as we lift up our hearts with the glad Te Deum, "He restoreth my soul."

Save us from the peril of forgetting that we are restored so that we may restore, that we are strengthened in order that we may strengthen. History is Thy message to warn that selfish bread will choke us and the unshared cup of water will turn to salt upon our lips. Deliver us from every wrong thought we have had of Thee and from every poor or partial view of Thy children, our brothers. Through all the changing pattern of the years may there come Thy kingdom of peace with justice and good will in all the earth. We ask it in the Saviour's name. Amen.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, September 13, 1944, was dispensed with, and the Journal was approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bill and joint resolution of the Senate:

S. 2111. An act to provide for the extension of certain oil and gas leases; and  
S. J. Res. 150. Joint resolution making an appropriation to pay the necessary expenses of the inaugural ceremonies of the President of the United States, January 20, 1945.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1434. An act for the relief of Anna M. Kohler;

H. R. 4257. An act to expatriate or exclude certain persons for evading military and naval service; and

H. R. 4271. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2697) to provide for the disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 99), in which it requested the concurrence of the Senate, as follows:

*Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 4271) to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad, is authorized and directed to strike out the word "six" which appears in the proviso and insert in lieu thereof the word "five."*

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 4278. An act to provide for the control and eradication of certain animal and plant pests and diseases, to facilitate cooperation with the States in fire control, to provide for the more efficient protection and management of the national forests, to facilitate the carrying out of agricultural conservation and related agricultural programs, to facilitate the operation of the Farm Credit Administration and the Rural Electrification Administration, to aid in the orderly marketing of agricultural commodities, and for other purposes; and

H. R. 4780. An act to fix the fees for domestic insured and collect-on-delivery mail, special-delivery service, and for other purposes.

#### USE OF WAR-MAKING POWER BY THE PRESIDENT—ARTICLE BY WALTER LIPPMANN

Mr. VANDENBERG. Mr. President, in recent Senate debate I submitted certain observations in response to a question posed by the distinguished Senator from South Dakota [Mr. BUSHFIELD] regarding the use of the war-making power by the President under the contemplated terms of the Dumbarton Oaks agreement. Mr. Walter Lippmann, one of our most favorably known columnists, subsequently submitted an inquiry to me seeking more specific clarification of one point in my argument. I responded in writing. Mr. Lippmann made my response the subject of report and comment in his Thursday morning column, September 14. I wish to present his article this morning and to say that it is an accurate reflection of my views. I do this because I want to make my supplementary statement to Mr. Lippmann an official part of my earlier reply to the question laid before the Senate by the Senator from South Dakota.

It will be recalled that we were discussing at that time the extent of the plenary power which the President, acting through an American delegate to the contemplated peace league, might exercise in taking us into overseas foreign wars. I indicated at that time to the Senator from South Dakota that I thought perhaps a regional line could be drawn to identify the constitutional distinction between the war-making power which is exclusively resident in the Congress and the other constitutional power which clearly rests in the President in the case of incidental defense emergencies.

I assumed that it would be understood that I also included in the powers which the American delegate and the President unquestionably should be allowed to use without referendum would be any power necessary to implement the continuous restraint of the Axis Powers in respect to all phases of rearmament. It was upon that subject that Mr. Lippmann particularly addressed me, and, inasmuch as it seems to be a very important part of the contemplation, I want to read from Mr. Lippmann's article, as a supplement to my reply to the able

Senator from South Dakota, the following:

When I say that "the world's criminals of today must be so permanently demilitarized that they can never become the criminals of tomorrow," and when I say "to this end the immediate and continuous availability of Allied [military] force is indispensable," I mean to set this problem off by itself as separate from any other problem which may require the use of force. There must never be an instant's gap in the availability of this particular force, and there must never be an instant's doubt about its availability. If we have learned anything from the tragedies of yesterday, we must have learned that. I would most certainly include these disciplines within the power of the President, speaking through his delegate on the new league council, without any necessity for reference back to Congress.

Mr. President, I also want to make this article a part of the RECORD because of my deep conviction that the final conclusions reached by Mr. Lippmann are sound. I hope that no one doubts the unqualified sincerity with which I am cooperating in the desperately necessary effort to organize world security against military aggression and to underwrite organized peace in a free world of free men. Indeed, I am so irrevocably committed to this aim that I hate to see it needlessly jeopardized by needless controversy over immovable obstacles to what otherwise might well prove to be at least 99 percent unity upon this tremendous adventure in human welfare. I hasten to add that I believe the matter can and will be amicably adjusted without derogation of essential peace authority in the new league and equally without derogation of the Constitution of the United States. It will be of course exclusively our problem here in the Senate, and not the problem of Dumbarton Oaks, although the international conference should be on notice.

I want to ask that the Lippmann article be printed at this point in the RECORD in full as a part of my remarks; and I want particularly to emphasize his concluding wisdom when he says that "to stir up a debate by asking for blanket authority when you do not need it, and would not use it if you had it, would be a reckless thing to do."

The VICE PRESIDENT. Without objection, it is so ordered.

The article by Mr. Lippmann is as follows:

#### DUMBARTON OAKS: THE AMERICAN PROBLEM (By Walter Lippmann)

It is not so certain as it might be that Mr. Stettinius and his American associates at Dumbarton Oaks have taken fully into account the meaning of the Senate debate on August 21 and of Governor Dewey's Louisville address. There is at issue the crucial question of how far bipartisan agreement can be had now to authorize the President to enforce peace.

Governor Dewey took the position, which Senator VANDENBERG, who speaks for the Republicans, has now made unequivocally clear, that they advocate giving the President full power to enforce the demilitarization of Germany and of Japan without coming back to Congress for authority in each concrete case. But Senator VANDENBERG also made it clear that it is highly improbable that Congress will once and for all give this President and



all his successors sole authority to enforce peace in circumstances not now foreseeable. In other words, specific authority to enforce German and Japanese demilitarization can be had by bipartisan agreement; general authority beyond that to enforce peace anywhere and everywhere cannot be had without a prolonged debate of which the outcome is by no means certain.

Mr. Stettinius and his chief, Secretary Hull, are now face to face with the same question that was put to President Wilson shortly after the armistice of 1918. Before Mr. Wilson left for Paris, the French Government said to him that "the settlement of the war properly so-called," by putting into effect a preliminary peace with Germany, should be divided from "the organization of the Society of Nations" because "the settlement of the concrete questions should not be confounded with the enforcement of the stipulations of general public law." This was the view, publicly expressed at the time, of ex-President Theodore Roosevelt, of Senator Lodge, and of Senator Knox, all of them strong interventionists, none of them isolationists. It was also the view of Mr. Winston Churchill, who wrote later that "there is no doubt that the French plan was at once logical, practical, and speedy." This became also the mature view of Colonel House, as it is now the considered judgment of such deep students of the problem as Messrs. Moulton and Marlio, the authors of *The Control of Germany and Japan*.

But President Wilson rejected the plan and insisted in uniting in one legal instrument the powers for dealing with Germany and the powers for dealing with all other possible outbreaks of trouble. This was President Wilson's cardinal error. He could have got immediately ample power to keep Germany disarmed. But when he asked for just as much power to deal with all hypothetical aggressions in the future, the Senate refused. As a result he got neither the power to police Germany nor did he get the League. The power which Congress would have granted to police Germany was more power than it would grant to police the world. The power it would have granted to police the world was not enough power to police Germany.

The administration is now on clear notice from the Senate debate that if it does not separate the policing of Germany and Japan from the enforcement of peace elsewhere in the world, it will jeopardize the whole settlement. Mr. George Santayana once said that "those who cannot remember the past are condemned to repeat it."

Lest there be any doubt that the regular Republicans in the Senate agree with Governor Dewey and will grant unequivocal authority to enforce the disarmament of our chief enemies, I have made a direct inquiry of Senator VANDENBERG and have received from him the following statement:

"When I say that 'the world's criminals of today must be so permanently demilitarized that they can never become the criminals of tomorrow' and when I say 'to this end the immediate and continuous availability of Allied (military) force is indispensable,' I mean to set this problem off by itself as separate from any other problem which may require the use of force. There must never be an instant's gap in the availability of this particular force, and there must never be an instant's doubt about its availability. If we have learned anything from the tragedies of yesterday we must have learned that. I would most certainly include these disciplines within the power of the President, speaking through his delegate on the new League Council, without any necessity for reference back to Congress."

I can find no weasel words in this commitment, and I take it to mean that a convention to enforce German and Japanese dis-

armament can be had by overwhelming bipartisan agreement.

What then are the prospects of similar agreement to enforce peace against aggressors other than Germany and Japan? Agreement can be had for the United States, as a government, to play its part. But what cannot be had without a convulsive and destructive and, I think, a useless debate, is a blank check in advance to the President to use the armed forces of the United States in unforeseeable and hypothetical disputes. The specific mandate which Senator VANDENBERG offers is in complete harmony with the letter and spirit of the Constitution. But a generalized mandate to use armed force would be an abdication by Congress of its prerogative in the making of war. It would be the height of folly to challenge this ancient and cherished prerogative, and it is entirely unnecessary.

The authority to deal swiftly with a German or Japanese rebellion is essential to making peace secure in the next two decades. If during this period, or later, another great power aggressor shows itself, the world situation will be very grave indeed. But it will be so grave that the actions of the Government should be supported from the first appearance of the threat by the informed advice of Congress. For no President who was in his right mind would want to engage in hostilities against a great power without the full support of Congress. Therefore, there is no point in asking for authority to act in such a grave matter without consulting Congress. To stir up such a harum-scarum debate by asking for blanket authority when you do not need it, and would not use it if you had it, would be a reckless thing to do.

#### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

#### AUDIT OF TRANSACTIONS OF FEDERAL CROP INSURANCE CORPORATION

A letter from the Comptroller General of the United States, transmitting copy of a report of the audit of the transactions of the Federal Crop Insurance Corporation from July 1, 1940, to June 30, 1941 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

#### PERSONNEL REQUIREMENTS

Letters from the Acting Administrative Assistant to the Secretary of Commerce, Director of the Division of Administrative Management of the National War Labor Board, officer in charge of the American Battle Monuments Commission, Director of the Office of Economic Stabilization, Chairman of the National Labor Relations Board, Assistant Secretary of the National Advisory Committee for Aeronautics, Chairman of the United States Tariff Commission, Director of the Selective Service System, Director of the Office of Censorship, Acting Chairman of the War Production Board, Chairman of the National Mediation Board, Acting Administrator of the Federal Works Agency, assistant secretary-treasurer of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, Director of the Bureau of the Budget, administrative officer for The White House, administrative officer of the President's Committee on Fair Employment Practice, Director of Office of War Mobilization, Chairman of the War Manpower Commission, Acting Director of the Office for Emergency Management, Division of Central Administrative Services, Acting Director of the Committee for Congested Production Areas, and the Liaison Office for Personnel Management, transmitting, pursuant to law, estimates of personnel requirements for their respective offices for the quarter end-

ing December 31, 1944, and also a letter from the Comptroller General of the United States, transmitting, pursuant to law, a revised estimate of personnel requirements for the quarter ending December 31, 1944 (with accompanying papers); to the Committee on Civil Service.

#### PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate by the Vice President and referred as indicated:

A resolution by the executive committee of the Bar Association of Hawaii, favoring trial before the Federal or Territorial courts of Hawaii of nonmilitary personnel for all alleged crimes or offenses other than violations of the laws of war; to the Committee on the Judiciary.

A resolution by the board of directors of the Golden Legion, Los Angeles, Calif., favoring the waging of a speedy, direct, and efficient war in the Far East against Japan; to the Committee on Military Affairs.

#### RESOLUTION BY EASTERN IOWA LIGHT & POWER COOPERATIVE—RURAL ELECTRIFICATION ADMINISTRATION

Mr. GILLETTE. I ask consent to present a resolution adopted by the Eastern Iowa Light & Power Cooperative relating to Senate bill 2034, which I request may be printed in the *RECORD* and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the *RECORD*, as follows:

Whereas the Eastern Iowa Light & Power Cooperative, an Iowa cooperative, is a Rural Electrification Administrative cooperative; and

Whereas the board of directors of the Eastern Iowa Light & Power Cooperative is vitally interested in the expansion and growth of rural electrification in this area, as well as throughout the United States; and

Whereas this board of directors is of the opinion rural electrification will expand and grow more favorably and efficiently under an independent federally controlled agency rather than an agency within and under the control and domination of another Federal department: Now, therefore, be and it is hereby

*Resolved by the board of directors of the Eastern Iowa Light & Power Cooperative:*

(1) This board of directors of the Eastern Iowa Light & Power Cooperative hereby go on record favoring and demanding the immediate passage of the Senate bill 2034 making the Rural Electrification Administration an independent agency of the Federal Government.

(2) That this resolution be signed by the members of the board of directors of this cooperative and copies of the same be mailed to Hon. GEORGE WILSON and Hon. GUY GILLETTE, United States Senators from the State of Iowa, and the Honorable THOMAS MARTIN, Congressman from this district, and the Honorable HENRY O. TALLE, from Decorah.

Dated this 21st day of August 1944.

John H. Hendriks, Hugo Lenich, R. C. Hill, Alfred F. Meyer, Herman Treimer, Kenneth Helfert, Frank Myatt, Lee E. Dotson, George Butler, W. C. Anderson, J. Earl Dickerson, W. C. Hendrix, Frank Kiser, Carl J. Mitzner.

These being all the directors of the Eastern Iowa Light & Power Cooperative.

#### RESOLUTIONS BY CONVENTION OF CONNECTICUT FEDERATION OF LABOR

Mr. MALONEY. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in

the RECORD at this point two letters and accompanying resolutions, which I have received from Mr. John J. Egan, secretary-treasurer of the Connecticut Federation of Labor, Bridgeport, Conn.

The resolutions were adopted by the members of the Connecticut Federation of Labor at its fifty-ninth annual convention at Bridgeport, Conn., and urge the passage of legislation embodying the chief features of the rejected Murray-Kilgore and Celler-Dingell bills, the passage of the Wagner-Murray-Dingell bill, and the establishment and maintenance of a grade labeling program for the canning industry.

The VICE PRESIDENT. Without objection, the letters and resolutions presented by the Senator from Connecticut will be received, appropriately referred, and printed in the RECORD.

To the Committee on Banking and Currency:

CONNECTICUT FEDERATION OF LABOR,  
Bridgeport, Conn., September 12, 1944.  
Hon. FRANCIS T. MALONEY,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR: Enclosed find copy of Resolution No. 19 entitled "Wagner-Murray-Dingell bill" and Resolution No. 20 entitled "Grade Labeling," both of which were passed at the fifty-ninth annual convention of the Connecticut Federation of Labor held at Bridgeport, Conn., September 8, 9, and 10.

Sincerely yours,

JOHN J. EGAN,  
Secretary-Treasurer.

#### RESOLUTION 20 Grade labeling

Whereas the threat of inflation is present both during and immediately after the war; Whereas effective price control is necessary in order to protect the consumer from runaway inflation;

Whereas proper establishment and maintenance of prices requires an adequate description of the products sold, particularly such commodities as clothing and food; and Whereas grade labeling is the only effective and fair method of describing canned products: Therefore be it

Resolved, That this convention go on record as favoring the establishment and maintenance of a grade labeling program for the canning industry; and be it further

Resolved, That copies of this resolution be forwarded to the congressional Representatives from this State.

To the Committee on Finance:

#### RESOLUTION 19 Wagner-Murray-Dingell bill

Whereas freedom from want is impossible without security against the loss of working time and the high expense caused by sickness; and

Whereas the health of the people is a necessary condition of national safety and prosperity; and

Whereas the experience of the Selective Service has revealed a shameful failure of our Nation at the point of providing for the health and strength of the people; and

Whereas the Wagner-Murray-Dingell bill, which was introduced with the endorsement of the American Federation of Labor and other branches of the labor movement, has not yet had fair attention: Therefore be it

Resolved, That the fifty-ninth annual convention of the Connecticut Federation of Labor hereby calls upon our Senators and Representatives to insist upon the prompt consideration and passage of the Wagner-Murray-Dingell bill, by which the health and security of the worker and his family are

protected during their entire lifetime; and be it finally

Resolved, That copies of this resolution be sent to our Senators and Representatives, and to the Connecticut State Medical Association.

Ordered to lie on the table:

CONNECTICUT FEDERATION OF LABOR,  
Bridgeport, Conn., September 12, 1944.  
Hon. FRANCIS T. MALONEY,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR: Enclosed find copy of Resolution No. 23, entitled "The Kilgore Bill," passed at the fifty-ninth annual convention of the Connecticut Federation of Labor held at Bridgeport, Conn., September 8, 9, and 10.

Sincerely yours,

JOHN J. EGAN,  
Secretary-Treasurer.

#### RESOLUTION 23 The Kilgore bill

Whereas the Senate has rejected the Kilgore bill and passed the inadequate George bill; and

Whereas the House of Representatives has passed a bill even less satisfactory than the George bill passed by the Senate; and

Whereas widespread unemployment and distress, destroying the finest fruits of victory, will accompany the reconversion of war industries and the demobilization of the armed forces, unless far more adequate measures are taken than those provided by the bills passed by the Senate and the House of Representatives; and

Whereas the great shifts of population from State to State in response to the needs of wartime production have made it impossible for the States, acting separately, to meet this emergency: Therefore be it

Resolved, That the fifty-ninth annual convention of the Connecticut Federation of Labor hereby demands a full and fair reconsideration of these issues by the Senate and the House of Representatives, and the passage of legislation embodying the chief features of the rejected Murray-Kilgore and Celler-Dingell bills; and be it finally

Resolved, That copies of this resolution be sent to our Senators and Representatives in Washington.

#### INVESTIGATION OF SECURITIES AND EXCHANGE COMMISSION AND LAWS ADMINISTERED BY IT

Mr. VANDENBERG. Mr. President, on June 22 last, I submitted Senate Resolution 316, which looked toward an investigation by the Committee on Banking and Currency of the law and the rules and regulations of the Securities and Exchange Commission, with a view to determining whether in the post-war period it might not be advisable to relax the S. E. C. restrictions to simplify the process of incorporation for small business.

The resolution was offered with no thought of robbing the public of any protective advantage in the S. E. C. law and regulations, but with a view to determining whether it might not be possible to simplify the rather burdensome process which is involved, and which is particularly repressive to small business.

I presented the resolution to the Securities and Exchange Commission itself, and I am very happy to say that Chairman Purcell, of the Commission, has been most cooperative in his reply. I have a long letter from him, under date of September 13, enclosing an analysis, which is too long to be put into the

RECORD, but which I wish to have referred to the Committee on Banking and Currency in connection with its consideration of Senate Resolution 316.

The VICE PRESIDENT. Without objection, the matters will be referred to the Committee on Banking and Currency.

Mr. VANDENBERG. Mr. President, I merely wish to state publicly for the RECORD that Chairman Purcell suggests—

If, however, it should be deemed by Congress to be sound policy to relax the registration provisions of the act in an effort to stimulate the flow of capital into small business enterprises, we believe it would be preferable to do so by raising to \$300,000 the exemption provided by section 3 (b) —

The present exemption limitation being \$100,000—

as outlined previously, rather than by relaxing the disclosure requirements generally. It seems reasonable to suppose that most enterprises that might fairly be called small businesses would come within such an exemption.

Mr. President, I think Mr. Purcell's comment is pertinent and highly helpful. I am very hopeful that the Committee on Banking and Currency will take cognizance of this situation without much more delay.

LUM JACOBS

Mr. O'DANIEL. Mr. President, I ask unanimous consent that the votes by which yesterday Senate bill 2007, for the relief of Lum Jacobs, was ordered to be engrossed for a third reading, read the third time, and passed, be reconsidered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the votes are reconsidered.

Mr. O'DANIEL. Mr. President, I wish to offer an amendment to the bill, on page 1, line 6, to strike out "\$1,030" and to insert in lieu thereof "\$1,500."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH of New Jersey, from the Committee on Commerce:

H. R. 3704. A bill to amend the Coast Guard Auxiliary and Reserve Act of 1941, as amended; without amendment (Rept. No. 1093).

By Mrs. CARAWAY, from the Committee on Commerce:

S. 1645. A bill relating to the administration of the Glacier National Park Fish Hatchery, at Creston, Mont., and for other purposes; without amendment (Rept. No. 1094);

H. R. 4208. A bill to authorize the construction and operation of a free highway bridge across the Monongahela River in the county of Allegheny, Pa.; without amendment (Rept. No. 1095); and

H. R. 4207. A bill to authorize the construction and operation of a free highway bridge across the Monongahela River in the county of Allegheny, Pa.; without amendment (Rept. No. 1096).

By Mr. BURTON, from the Committee on Commerce:

H. R. 2752. A bill to authorize the acquisition of additional lands and flowage easements for the Pleasant Hill Reservoir, Ohio,



and for other purposes; without amendment (Rept. No. 1097).

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

H. R. 5144. A bill to authorize the city of Ketchikan, Alaska, to issue bonds in a sum not to exceed \$150,000 for the purpose of constructing and acquiring additions and betterments to and extensions of the electric light and power system of said city, and to provide for the payment thereof, and for other purposes; without amendment (Rept. No. 1098).

By Mr. STEWART, from the Committee on Immigration:

S. 963. A bill relating to the imposition of certain penalties and the payment of detention expenses incident to the bringing of certain aliens into the United States; with an amendment (Rept. No. 1099).

By Mr. MEAD, from the Committee on Civil Service:

H. R. 4114. A bill to amend section 3 (b) of Public, 49, Seventy-eighth Congress, first session (War Overtime Pay Act of 1943); without amendment (Rept. No. 1100).

#### REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPPER:

S. 2146. A bill to provide for the acquisition of certain property in the District of Columbia for use by the Children's Museum of Washington, Inc.; to the Committee on the District of Columbia.

(Mr. THOMAS of Oklahoma introduced Senate bill 2147, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. KILGORE introduced Senate bill 2148, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. McCARRAN:

S. 2149. A bill to increase the rates of compensation of certain postal employees, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. HILL:

S. 2150. A bill for the relief of Frances Eubanks Oates; to the Committee on Claims.

By Mr. DAVIS (for himself, Mr. Brooks, Mr. WILLIS, and Mr. CAPPER):

S. J. Res. 153. Joint resolution requesting the President to proclaim February 1 as National Freedom Day; to the Committee on the Judiciary.

#### EMPLOYMENT OF ADDITIONAL CLERKS FOR VETERANS' MATTERS

Mr. THOMAS of Oklahoma. Mr. President, out of order, I ask unanimous consent to introduce a bill authorizing each Senator and Representative in the Congress to appoint a special clerk to have charge of the interests of veterans of all wars. The bill likewise authorizes the appointment of a stenographer to work in the special veterans' set-up in each congressional office.

Briefly, the reasons for this bill are as follows:

At the present time we have a few veterans and their dependents of the War between the States; second, in my State of Oklahoma we have a number of Indians who served as scouts in the early days of Indian Territory and Oklahoma; third, we have the veterans and their dependents of the Spanish-American War and the Philippine Insurrection; fourth, we have the veterans and their dependents of World War No. 1, and now we are having to serve the veterans and their dependents of World War No. 2.

In World War No. 1 we had approximately four and one-half million men in the armed service, and in this war, by the time it is over, we will probably have had 14,000,000 men and women enlisted in the armed forces of our country.

I think it is obvious that any member who has served in the Congress for any considerable time is well acquainted with the demands made upon the several congressional offices for assistance to the veterans and their dependents. These requests are such as claims for travel pay and for various forms of reimbursement. The correspondence coming to our offices embraces such matters as claims for compensation, applications for pensions, applications for admission to veterans' hospitals and facilities.

Such correspondence embraces such matters as claims for dependents' allotments for Military and Naval Academy appointments, applications for commissions in the Army and the Navy, applications for admission into the several officer candidate schools, applications for advancement, transfers, and furloughs, and likewise applications for discharges from the military service.

I represent, in part, a State which has approximately two and a quarter million population, with approximately 175,000 men and women in the armed services.

During the first 14 years of my service in the Senate my office secured approval of 1,526 compensation and pension claims, and, in addition, we secured 742 lump-sum settlements, making a total of 2,268 claims approved.

Our estimate is that we secured approval of 1 out of each 4 claims filed, which shows that during this 14-year period we handled over 9,000 claims for veterans. This record shows that my office processed some 642 claims per year. Each claim called for an average of 10 letters, so that it required some 6,420 letters to follow the claims through to final adjudication. This veterans' work required some 535 letters per month, or 21 letters per day.

In addition to the necessary correspondence there were telephone calls, personal interviews, and personal appearances and hearings before the administrative boards.

As stated, in World War No. 1 we had some four and one-half million men in the armed forces. In this war the number certainly will reach some 14,000,000 or 3 times the number in the First World War.

The number being larger and the term of service being longer, we may expect a substantial increase in the percentage of persons who will need assistance.

In the past the local Red Cross units and the American Legion posts rendered most valuable services to the veterans, but as a rule such local organizations worked through and depended upon the Representatives and Senators to clear their claims through the Veterans' Administration.

The Congress has just enacted legislation providing for hospitalization, rehabilitation, education, and loans to veterans. This valuable program will increase the work coming to congressional offices.

During the next few years our most important task will be to take proper care of our returning soldiers, sailors, and members of the other component units of our fighting forces. The future success of our country depends upon the health, education, and efficiency of these men and women. Every possible facility should be provided for their speedy reentrance into our civilian life and the expenses necessarily incurred should be added to the costs of this war.

I ask that the bill be referred to the Finance Committee, and I express hope for prompt and favorable action.

As a part of my remarks I ask that a copy of the bill be printed at this point in the RECORD.

There being no objection, the bill (S. 2147) to authorize the appointment of additional clerks to assist Senators, Representatives, and Delegates in attending to matters relating to veterans, introduced by Mr. THOMAS of Oklahoma, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.,* That (a) each Senator, Representative, and Delegate in the Congress is hereby authorized to appoint an additional clerk to assist him in attending to matters relating to the interests, needs, and requests of veterans of any war in which the United States has been engaged or to the dependents of such veterans. It shall be the duty of each such clerk to assist the Senator, Representative, or Delegate by whom he is appointed in attending to such matters in such manner as such Senator, Representative, or Delegate may direct. The basic rate of compensation for each such clerk shall be \$3,900 a year.

(b) Each Senator, Representative, and Delegate is further authorized to appoint an additional assistant clerk to provide stenographic and clerical assistance to the clerk appointed by him under subsection (a). The basic rate of compensation for each such assistant clerk shall be \$1,800 a year.

SEC. 2. The appropriation of such sums as may be necessary to carry out the purposes of this act is hereby authorized.

#### EDUCATION OF VETERANS

Mr. KILGORE. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill intended to clarify the educational features of the so-called G. I. bill which I feel are not clarified, and to remove what I consider the abominable 25-year limitation on education of returned soldiers whose education has been interrupted by the war.

There being no objection, the bill (S. 2148) to provide that the education and training provided for by the Servicemen's Readjustment Act of 1944 shall be made available to veterans on an equal basis

without regard to their age was received, read twice by its title, and referred to the Committee on Finance.

**RIVER AND HARBOR FLOOD-CONTROL WORKS—AMENDMENT**

Mr. SHIPSTEAD submitted an amendment intended to be proposed by him to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which was ordered to lie on the table and to be printed.

**CLAIM OF THE McCULLOUGH COAL CORPORATION—AMENDMENT**

Mr. TYDINGS submitted an amendment intended to be proposed by him to the bill (H. R. 1519) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of the McCullough Coal Corporation against the United States, which was ordered to lie on the table and to be printed.

**CORRECTION IN ENROLLMENT OF HOUSE BILL 4271—PRESERVATION OF THE NATIONALITY OF CITIZENS RESIDING ABROAD**

The VICE PRESIDENT laid before the Senate House Concurrent Resolution 99, which was read as follows:

*Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 4271) to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad, is authorized and directed to strike out the word "six" which appears in the proviso and insert in lieu thereof the word "five."*

Mr. RUSSELL. Mr. President, this concurrent resolution merely corrects a clerical error in an immigration bill which the Senate passed on a previous call of the calendar. I hope the resolution may be agreed to.

The VICE PRESIDENT. Is there objection to the present consideration of the House concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

**CORRECTION IN ENROLLMENT OF HOUSE BILL 4257—EXPATRIATION OR EXCLUSION OF CERTAIN PERSONS FOR EVADING MILITARY AND NAVAL SERVICE**

Mr. RUSSELL. There also was an error in House bill 4257, which relates merely to the numbering of the section. Instead of having been numbered (h) it should have been numbered (i) because the Senate enacted a bill which corrected the section. I ask consent to submit a concurrent resolution to correct the error, and to have the resolution immediately considered.

The VICE PRESIDENT. Is there objection?

There being no objection, the concurrent resolution (S. Con. Res. 51) was considered and agreed to as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 4257) to expatriate or exclude certain persons for evading military and naval service, be, and he is hereby, authorized and directed to strike out on page 1, line 7 "(h)" and insert in lieu thereof*

*"(i)"; and on page 1, line 8, strike out "(i)" and insert in lieu thereof "(j)."*

**FREEDOM FOR TRANSMISSION BY PRESS AND RADIO OF NEWS IN CONNECTION WITH INTERNATIONAL RELATIONS**

Mr. CONNALLY submitted the following concurrent resolution (S. Con. Res. 52), which was referred to the Committee on Foreign Relations:

*Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States believes in the world right of all men to write, send, and publish news at uniform communication rates and without interference by governmental or private monopoly and that right should be protected by treaty;*

*That the representatives of the United States at the peace conference and at the conference called to create an international organization for the maintenance of peace be requested to urge that there be incorporated in the peace treaty or in the treaty creating the international organization for peace provisions to guarantee that each nation signatory to the treaty shall give to all responsible press and radio representatives the same access to information at the source and the same freedom from censorship as may be accorded to press services and radio representatives of such country;*

*That such agreements provide for the freedom for accredited press and radio representatives to write, transmit, and publish the news without private or governmental interference and at the same rates of charge for communications, national and international, as are given to the press or radio representatives of such nation.*

**TAXATION FOR PUBLIC EDUCATION IN VIRGINIA (S. DOC. NO. 238)**

Mr. McKELLAR. Mr. President, at the request of the senior Senator from Virginia [Mr. GLASS] I ask unanimous consent to have printed as a Senate document an address entitled "Taxation for Public Education in Virginia," being an address delivered by Christopher B. Garnett, president of the Virginia State Bar Association.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

**RECONVERSION REPORT TO THE PRESIDENT BY DIRECTOR OF WAR MOBILIZATION (S. DOC. NO. 237)**

Mr. MAYBANK. Mr. President, I ask unanimous consent that the report on the subject of reconversion, submitted to the President by the Director of War Mobilization, Hon. James F. Byrnes, be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

**ACCOMPLISHMENTS OF THE NAVY (S. DOC. NO. 236)**

Mr. WALSH of New Jersey. Mr. President, the Honorable James V. Forrestal, Secretary of the Navy, has written a comprehensive exposition of certain accomplishments of our great Navy and a clear statement of his views as to the kind of Navy we should have after the war. The Secretary's report and beliefs are brilliantly set forth in two statements and one article. One statement is entitled "Training the People"; the other "Building the Ships and Planes." The article which is entitled "What To Do With Them: Will We

Choose Naval Suicide Again" was recently published in the Saturday Evening Post.

I ask unanimous consent to have the two statements and the article printed in the RECORD.

I also ask unanimous consent to have this valuable material made a Senate document.

The VICE PRESIDENT. Without objection, the matter presented by the Senator from New Jersey will be printed as a Senate document, and also printed in the RECORD.

The matter referred to is as follows:

**TRAINING THE PEOPLE**

During the past fiscal year ending June 30, 1944, the Navy trained 1,303,554 personnel, manning 4,063 new vessels—or 11 ships each day—plus more than 20,000 landing craft and keeping pace with the naval air arm which doubled the number of planes on hand.

The magnitude of the Navy's training task stems from the necessity of manning the world's greatest naval force predominantly with men who have had no previous seagoing experience. Of a total of 2,987,311 personnel in the Navy on June 30, less than 12 percent were in the service prior to Pearl Harbor and 2,478,002, or approximately 83 percent, are members of the Naval Reserve.

In addition to continuing the extensive training of personnel now in the service, the Navy will be required, in the current fiscal year, to train approximately 600,000 new personnel who are expected to be drawn into the service from civilian life by June 30, 1945. The collapse of Germany will result in no curtailment of the Navy's training program. The continued successful prosecution of the war against Japan will require, according to present estimates, that the Navy continue to expand until it reaches a strength of 3,389,000 by June 30, 1945.

The complexity of the Navy's training activities is reflected in the fact that new personnel must be trained to proficiency in more than 450 enlisted specialties and petty-officer ratings which are indispensable to man, fight, and maintain the highly complicated mechanism of a modern navy.

The measure of the Navy's training accomplishment depends upon whether men are ready and trained to man the ships and planes as they come off the ways and out of the factories. The evidence of success lies in the fact that no vessel or unit has been delayed in commissioning through lack of trained personnel. In 2½ years the Navy has trained the greatest citizen naval force in history. And it has produced seasoned reserve personnel with extensive combat experience.

The training of the Navy of 1944 has been achieved by a great expansion of the naval training establishment, the channeling of aptitude by careful selection and classification of previously acquired civilian skills and abilities, standardized curricula, practical instruction, the use of training aids, and intensified team training of groups ashore prior to duty afloat and abroad.

Prior to the inception of the Navy's intensive shipbuilding program in 1940, the Navy had in operation a training establishment which consisted of approximately 75 schools with an average attendance of 10,000 personnel. In addition, the Navy operated two air training schools with an attendance of 865 men which produced an average of 350 pilots a year.

The Navy now has a total of 947 schools with a daily average attendance of 303,000 personnel.

Up to the end of 1943-44 fiscal year, of this number 136 were basic and advanced air-training schools with an average attendance



of 35,000 and a monthly output of 1,700. It is estimated that the Navy spends close to \$30,000 on the training of each naval aviator who is in training for 18 to 24 months.

The Navy's schools for training officers and officer candidates fall into two groups:

1. Six Naval Reserve midshipmen's schools have sent a total of 41,689 deck and engineering officers to duty assignments throughout the Naval Establishment. These schools, established since 1940 for the training of officer candidates from civil life and from the enlisted ranks, are the Navy's principal source of young seagoing officers and 95 percent of their graduates are serving at sea.

2. With the knowledge that selective service would in time sharply diminish or eliminate the supply of young men between the ages of 18 and 21 years upon which the Navy would have to depend for additional officer candidates, the Navy on July 1, 1943, instituted the Navy college program (V-12) for the preliminary training of young officer candidates. At this time the Navy college program (V-12) is operating 264 units at 202 colleges and universities and has a current attendance of 65,000 officer candidates. Since the establishment of the V-12 program, it has delivered more than 23,000 qualified officer candidates to the Reserve midshipmen's schools, Supply Corps school, and marine officer candidates' schools. In addition to this number, 2,600 officers were commissioned directly from Naval Reserve Officers' Training Corps, now a part of the V-12 program, and the medical and dental schools have supplied the Navy with 1,400 doctors and dentists.

Of the Navy's training schools, 310 are devoted to the instruction of enlisted personnel. These schools also fall into 2 groups:

1. Recruit training—or "boot" training—is provided to new enlisted men at 7 of these training activities which have a total attendance of 219,387 and which in the past year passed 1,046,912 into service or into advanced enlisted training schools.

2. For the purpose of providing advanced instruction for enlisted specialists, 305 of these schools are maintained with an average capacity of 163,482 men and an output last year of 383,639 specialists.

During peacetime an average of 4 years was required to train a petty officer, third class. A young officer was not usually assigned to take a deck watch under way until he had spent 2 years at sea following his 4 years at the Naval Academy. Today, by the utilization of civilian skills and by intensification of training, petty officers, third class, are sent to specialized duty as early as 7 months after their first enlistment, and young officers stand watch in the vessels for which they have been qualified in an average time of 6 months. By the continuation of training at sea it has been possible to develop seasoned veteran personnel in a matter of months rather than years.

Since Naval Reserve personnel must be essentially specialists the Navy's method of classification and selection is of primary importance to a highly geared training program. A series of tests, based upon the type of duty to be performed in the Navy, is given to each recruit to determine his general classification, abilities, aptitudes, and knowledge of specific work. Through a system of personal interviews these tests are supplemented by considering the background and experience of the individual so that the special qualifications of each recruit may be evaluated. This information, indexed and recorded, is used in establishing quotas for the detail of men to service schools or to any other duty for which they seem best qualified.

Class work study and workshop or laboratory application at training schools is in all cases augmented by the extensive use of training aids such as posters, graphs, pam-

phlets, models, photographs, strip films, recordings, and motion pictures. The wide use the Navy has made of training aids is reflected in the figures on motion pictures and strip films. The Navy has used more than 5,000 separate film subjects and has distributed more than 1,000,000 prints of photographic film. Most of the principal classes of naval vessels carry extensive libraries of basic training motion picture and strip films—in the case of a major combatant ship as many as 500 separate titles—and instruction by use of these films continues until the vessel enters combat. Visual education is used to establish basic doctrine in such new fields as amphibious warfare, to standardize procedure and to save training time—in some cases between 25 percent and 50 percent—by visual presentation of complicated mechanisms and processes. The Navy considers motion pictures an invaluable aid, rather than a substitute, for training.

To give crews actual experience in shipboard and combat conditions without unduly drawing combatant vessels and equipment from the war zones, elaborate models, simulated battle conditions on typical beach heads, special devices for surface and air navigation, and hundreds of other aids are employed.

The magnitude of the shipbuilding program and the urgent need for crews with maximum team training before going to sea made advisable the establishment in January 1943 of operational and precommissioning training activities, a development unique in naval instruction methods. Instead of sending officers and men already skilled in a specialty directly to sea after preliminary training at officers' and enlisted service schools, naval personnel are assigned to train as teams ashore at operational and precommissioning training activities.

Prior to the commissioning of a new vessel the new crew is assembled and becomes a ship's organization on land. Composed of a nucleus of experienced personnel drawn from the fleet and the remaining personnel direct from training schools with no previous sea or combat experience, the men of the crew live together and in all respects operate together as if in fact they were at sea. As members of teams who will later serve together in combat, officers and men are given advanced training in the scores of specialties required to master the complicated mechanism of the modern naval vessel. It is the responsibility of the veteran personnel to bring the new men, lately from indoctrination and training schools, quickly to the high point of efficient team operation which conditions in action require. As a result, when assigned to their new vessels, members of the crew possess far more practical training as fighting units than was possible under previous methods of instruction ashore.

At the outset of its program to build the greatest fleet in history the Navy had had no previous experience to indicate whether it was possible in limited time to train to expert proficiency the large number of civilian reserves necessary to man the great new sea and air force. But the job is being done. The trained competence of naval officers and men afloat and their ability to learn quickly and to work and fight together with skill and courage are reflected in the commendatory reports of commanding officers. Their quality is being demonstrated in combat. The Japs know it.

The success of the Navy in the war to date is a direct result of the high state of training of its officers and men. The Navy's training system has not only taught naval skill but in a greater accomplishment has produced seasoned fighting men.

#### BUILDING THE SHIPS AND PLANES

Day after tomorrow—September 1, 1944—is the fifth anniversary of the outbreak of war

in Europe. In order to meet its obligations in the past 5 years of armed neutrality and war the Navy has increased the size of its fleet and air arm until the United States has become, for the first time in its history, the greatest naval power on earth. During this period the Navy increased the number of warships in its fleet over three times, built a huge new fleet of supporting vessels and landing craft, much more than trebled its fire power, and multiplied its air force 20 times.

Since the beginning of hostilities in Europe, the Navy added almost 65,000 vessels of all types to the fleet, or a total of over 9,000,000 displacement tons. Nearly 36 percent of the total represents combatant ships, 29 percent auxiliaries, and 22 percent landing craft. At the end of this period the Navy had on hand over 5 times the tonnage of all types that was on hand on September 1, 1939.

During the same period the Navy accepted a total of 57,600 planes. Monthly production of Navy airplanes 5 years ago averaged only 12 per month as contrasted with recent acceptances of 78 per day. This total number of Navy planes on hand today is 20 times as great as the planes on hand at the beginning of the European war. The Navy aircraft production job is far from complete. In the next 12 months the Navy requires and has scheduled for delivery over 30,000 planes, of which 93 percent are in the combat class, or more than half the number accepted during all of the past 5 years combined.

Production of ordnance material has been expanded immensely to meet the demands of arming the ships and planes of the Navy. The monthly production rate of torpedoes is now approximately 40 times the average rate in 1939. Depth charges are now produced at a monthly rate 60 times that of the average monthly production rate 5 years ago. In an average month the Bureau of Ordnance now expends almost 3 times the total amount expended in the entire first year of the period. New weapons have been developed to meet modern battle conditions so that our ships could repel enemy air attack. Over 125,000 1.1-inch, 20-millimeter, and 40-millimeter antiaircraft guns have been produced. Production of ammunition for these guns has totaled over 1,000,000,000 rounds.

For every person serving in the Navy, Marine Corps, and Coast Guard in September 1939 there are over 24 today, and this figure will be increased when authorized strength is reached the middle of next year. Combined strength has grown from 152,086 officers and enlisted personnel on September 1, 1939, to 3,717,000 today.

Congress has authorized the Navy during the past 5 years to spend over \$118,000,000,000. Not all of this sum has been committed or expended. Commitments, or those sums which the Navy has had or will have to pay, now amount to over \$91,000,000,000. Expenditures to liquidate these commitments have amounted to nearly \$65,000,000,000. They are now running at an annual rate over 25 times the 1939 rate.

Lend-lease to our allies amounting to over \$5,000,000,000 in materials and services has already been transferred by the Navy and requests are now in process for an even greater sum. Vessels account for approximately 40 percent, petroleum and coal products for 25 percent, and aircraft for 15 percent. The British Empire received 92 percent, while the U. S. S. R. received 5 percent of all Navy transfers.

The expenditures remaining emphasize the point that the Navy program is only a little more than half finished. A substantial task still lies ahead. Planned operations are dependent upon the speed with which we obtain assault-troop and cargo ships. These ships are the Navy's most urgent need, and rank in importance with a few of the other most vital military programs. Also needed

are vast quantities of bombardment ammunition, 40-millimeter antiaircraft guns, and numerous special devices to make certain the final defeat of our enemies.

#### WHAT TO DO WITH THEM—WILL WE CHOOSE NAVAL SUICIDE AGAIN?

(By James Forrestal, Secretary of the Navy)

(A distinguished Navy spokesman warns that we invite national disaster if we follow our unrealistic custom of destroying our own ships after the shooting stops.)

On a hot, sunny morning in February, I had the privilege of landing on the Kwajalein Islets of Roi and Namur, one day after our amphibious forces had begun to get the situation well in hand. The islets were smoking, stinking heaps of rubble, with the blasted stumps of palm trees sticking out like giant toothpicks in disarray. For 3 days, Army, Navy, and Marine planes and Navy ships had plastered the whole 700-mile perimeter of the Marshall Islands, pinning down the Japs while the attack group prepared to strike at the heart of the Marshalls, the atoll of Kwajalein. Onto this atoll, and particularly onto its islets of Roi, Namur, and Kwajalein proper, we had poured during these same 3 days the heaviest concentration of bombs and naval shell fire that the world had ever seen.

To storm the Marshalls we had assembled the mightiest fleet of warships, transports, and landing craft ever floated on the Pacific; it was a new fleet, most of which had come off the building ways within the past 3 years. We had sent ashore gallant young Americans who, 3 years before, had never thought of storming a beach. Three hundred of them were killed at Kwajalein.

This is the price we paid for a coral atoll which, although it lay athwart our life line to the Philippines, we had allowed to pass from German to Jap hands 25 years ago. This is a part of the price we are paying for a rosy 20-year dream that we had outlived war. Enjoying that dream, we did not awaken until December 7, 1941, to the meaning of the illegal Japanese fortifications in the Marshall Islands, including Kwajalein, or in the Carolines and Marianas. Indeed, we had never understood the importance of these atolls, for in 1899 we let slip a chance to buy the Carolines, Marianas, and Palau from Spain.

Obviously, we have made a fundamental mistake which the war is beginning to make clear to us. Our understanding of history and our comprehension of geography have, by and large, been unrealistic. The evidence of history indicates that war is a normal, not an abnormal, affliction of man. I am not defeatist enough to believe that we should reconcile ourselves to this condition as permanent or that we should surrender our ideals of world peace. But I do most emphatically believe that, until firm foundations are laid guaranteeing world peace, we must assume that there will be aggressors, that those aggressors will have to be curbed, and that force will be necessary to do the curbing. As Premier Jan Smuts, of South Africa, said in November, "Peace not backed by power remains a dream."

We have been preoccupied with abstractions about world affairs. We satisfied our aspirations for peace by thinking of the most wishful order. We ignored history. On the one hand, we denied the possibility of an ordered world under the League of Nations. On the other hand, we denied ourselves the weapons to protect ourselves in a disordered world.

All this may read as if this article were about to launch into a plea for the reconstitution of the League of Nations—a league with teeth—or, failing that, to propose some similar framework for international comity. I have no such purpose. It is beyond my desire, if not my powers, to indicate the broad outlines upon which an international or-

ganization is to be built. This article proposes, purely and simply, to put forward this thesis:

That, whatever international agreements or associations may be sponsored by the United Nations, one of the cornerstones of peace must be the maintenance of armed force in being by the United States; more particularly, maintenance of that part of our force for which I speak, the sea and air power of the United States Navy.

In the past, at the conclusion of every war, during some of which our naval power had been built to formidable proportions, we have invariably destroyed that power. How did we carry out this destruction which brought us, in the recent past, face to face with an armed world, while we, potentially the most powerful Nation, were one of the least armed? We did it in three main ways.

First, we did after World War No. 1 what we had done after other wars in the past. We destroyed a large part of our Navy. This was done under agreements reached at the Naval Disarmament Conference of 1922.

Second, under the terms of that agreement, and under agreements arrived at in subsequent conferences, we accepted limits on our sea and air power, thereby abdicating the position which our building program in World War No. 1, plus our great national resources and industrial capacity, had given us. This policy was helped by the reaction against martial thinking which came after World War No. 1. Large appropriations for the Army and Navy were hard to get. Public attack and contempt went far to destroy the industries necessary to build armament.

Third, we stood by without acting, and sometimes without protesting, while other nations broke international agreements.

In the two decades after the First World War we scrapped or sank, under our treaty obligations, 30 of our own battleships, including 7 partially completed new ones. We junked 15 cruisers, 139 destroyers, and 52 submarines. A sizable American Navy went to the bottom of the sea or to the scrap pile. Moreover, we agreed to clamp a ceiling on our new-ship construction, and, as I shall explain later, accepted some incredible technical limitations.

Although some of the vessels stricken in 1920-38 were second-line ships, others were the newest and best of their kind. Naval officers still wince at the recollection of the *Washington*, a good fighting ship 75-percent completed, being towed to sea and sunk by our own guns and torpedoes on November 25, 1924. The foresight of our then Chief of Naval Operations, Admiral R. E. Coontz, saved for us in the 1922 Disarmament Conference two partially completed battle cruisers which we converted into the aircraft carriers *Lexington* and *Saratoga*. But we tore up four sister cruisers which would have made equally good carriers—and four more carriers would have been a vast comfort in 1942.

#### REPEATING PATTERN

Such an era of self-destruction, as I have said, is not new to the American Navy. The Navy had its beginning in the Revolution. John Paul Jones, John Barry, and others commanded frigates that for 7 years harassed British commerce. At the end of the Revolution, the Navy ceased to exist. We revived it to resist the French spoiliations and the Barbary coast pirates in the Mediterranean. Later, in the administration of Jefferson, the Navy built only squadrons of small coastal vessels, which Jefferson thought sufficient to protect the country from invasion.

Not until the War of 1812 was 6 months old did we start building some of the capital ships which Jefferson and his successors in the Presidency had thought unnecessary. They had failed to grasp the principle, later stated by Alfred Thayer Mahan, that whenever a naval war is conducted off the coasts of your own country, the chances are that the

war already has been lost. Big ships with long cruising range are needed to carry war to an enemy wherever in the world his ships may be.

When the War of 1812 ended, the shipbuilders of Maine, New York, and the Delaware River had given us quite a respectable Navy. A few years after the war, however, interest in the Navy declined and our ships went to dry rot. As was true in later years, the States remote from the seaboard could see no point in spending money for ships that sailed in distant seas.

The Civil War repeated this pattern. We had nothing much to begin with. We built a sizable fleet, and one development had a profound effect on naval warfare—the *Monitor* and the *Merrimac* and the ironclads that followed were the beginning of the modern armored ship. From 1865 on, however, interest in the Navy again ebbed, and we did not make even a pretense of matching the development of armored and heavily gunned ships as they were built by European navies. In fact, during Grant's administration we went so far as to return to sail because Admiral Porter, then the dominant figure in the Navy, felt that steam, which required the use of coal, made for dirty ships.

American naval development, both in numbers and design of ships, dragged until the mid-1880's, when a revival started. Beginning in 1897, Theodore Roosevelt, as Assistant Secretary of the Navy, and subsequently as President, gave it new impetus. Manila Bay, the building of the Panama Canal, and the world cruise of the fleet were parts of the "manifest destiny" which some people called imperialism. We began then to talk about "a navy second to none," an ambition which we did not realize until 35 years later.

After Theodore Roosevelt's administration we went forward with some new dreadnoughts, but we did not build the cruisers, destroyers, and auxiliaries that round out a balanced navy. Above all, we did not build naval bases, because we still failed to appreciate Mahan's basic concept—naval warfare must be conducted, not at one's own seacoast but on the enemy's, and warfare in distant waters calls for bases near those waters.

In 1916, in the shadow of World War No. 1, we started what was for us a gigantic naval expansion. That year Congress allowed the Navy to contract for 813,000 tons of new vessels, the biggest step toward naval power that we had taken in our history. In 1916-22 we added to our fleet 10 battleships, 1 aircraft carrier, 287 destroyers, and 88 submarines.

We ended the First World War with a very respectable Navy afloat, with more ships still building and with a fair prospect for an adequate number of Pacific bases.

What was our course and policy after the First World War? It was precisely the same, in principle, as that after other wars. Having rejected the League of Nations, we initiated the call for the naval disarmament conference of 1922. The result was, as I have already indicated, a series of treaties which caused us to sink 25 percent of our fleet, to stop building additional ships, and, finally, to accept qualitative as well as quantitative limitations on our future naval program. Some of the things we did under the terms of the treaties and under subsequent agreements seem unbelievable now.

New battleships were limited to 35,000 tons each, thereby preventing construction of the new 45,000-ton superships of the present Iowa class. This was one of the provisions of the 1922 treaty.

We accepted, in the 1930 treaty, a ceiling per ship would be added to any existing battleship for defense against air or submarine attack, although modern antiaircraft batteries alone would add 1,400 tons to a battleship. The result: Our fleet was highly vulnerable to the sort of attack that sank the Prince of Wales.



We accepted, in the 1930 treaty, a ceiling of 18 cruisers with guns larger than the 6.1 caliber. Result: The shortage of heavy cruisers was a limiting factor in the early days of the present war.

In destroyers, we accepted a total limit of 150,000 tons, and we also agreed in 1930 that no one could build any other surface warship between 600 and 2,000 tons if that vessel carried torpedo tubes or had a speed of more than 20 knots.

This almost unbelievable restriction prevented construction of antisubmarine vessels. The exclusion of torpedo tubes wasn't so important, but the speed limitation of 20 knots was serious. German submarines travel on the surface at 18 or 19 knots, and some are believed to be able to do better than 20 knots.

The 1922 treaty also asserted that no provision could be made for the conversion of merchant vessels into naval auxiliaries in case of war. The single exception was deck strengthening for 6-inch guns. When, in 1940, the United States, in need of auxiliary aircraft carriers, wanted to convert some of its large, fast liners into that kind of warship, we found that they would have to be rebuilt from the keel up. Result: We had to turn to the conversion of half-built C-3's, a slower, smaller merchant vessel being produced for the Maritime Commission. They were not designed for aircraft-carrier purposes, nor were they as useful as the liners might have been. Nevertheless, and most fortunately, they are doing splendid service in the Atlantic war against the U-boats.

The 1922 treaty restricted our naval air strength in a more serious way. We were limited to 135,000 tons of aircraft carriers with an additional general restriction of 27,000 tons imposed on each new carrier. Result: We are just now building 45,000-ton carriers, which will enable us to step up the size and power of our air strikes from the sea.

#### TAKING OFF OUR ARMOR

In retrospect, it is plain that we lightly gave away in these two treaties the means by which we could have kept the peace of the world, or, at any rate, by which we could have swept from the seas—assuming a public willingness to do so—anyone who dared to start trouble.

Secondly, we decided not only to sink part of our Navy and hamstring the rest, we also discredited the industries and individuals upon whom we relied for ships and guns and aircraft. In 1935 the armaments industry was hit broadside by a wave of merchants-of-death criticism.

As a result of it, the Bethlehem Steel Corporation, which had its plant at Bethlehem, Pa., the finest big-gun-forging units in the world—its only rival was the Krupp works of Germany—scrapped that forging capacity almost entirely. The Navy had to rehabilitate it in 1940 at a cost of \$2,500,000.

Du Pont, one of the largest manufacturers of explosives in the world, likewise was attacked, and subsequently it tried to divest itself, to a large extent, of its powder-making capacity. Only at the urgent request of the Army did Du Pont continue in the manufacture of explosives.

Nor was the aircraft industry exempt. The Morrow Board, reporting to the President in 1926, in a document notable for its brevity and good sense, had recommended the encouragement of a large and vigorous private aircraft industry. The competitive energies of private designers of planes and engines gave to the infant American aviation industry an impetus that sent its products around the world. But it was accused of being an international salesman of death.

Private shipbuilding likewise met discouragement. New naval vessels were required to be built largely in navy yards. Therefore, the so-called 11-percent expansion of the Navy in 1939 found us with only

6 private yards capable of building combatant vessels. Today there are 23 with adequate facilities and skill.

No person or group is responsible for this emasculation of our strength. It was part of a national dream in which we all shared.

In the meantime, the Japanese were building their Navy to the full limits of the 1922 and 1930 agreements—how much more, we won't know until after this war is over. Not until the first year of President Franklin Roosevelt's first administration did we take our naval-building program out of camphor and begin construction of a really modern navy. Up until that time, we had not built as many vessels as the treaties permitted us, and even then we began construction on a modest scale. But let it be recorded as one of the byproducts of the Federal spending policy then initiated that the President allotted \$238,000,000 of the first National Industrial Recovery Act appropriation for construction of naval vessels. Out of these sums there were built 2 aircraft carriers, 4 cruisers, 20 destroyers, 4 submarines, and 2 gunboats. However, we balanced even that step forward by disposing of a total of 139 old destroyers between the years 1930-38 to carry out previously entered-into treaty agreements.

We undermined our potential power in a third way by accepting limitations on our freedom of action. This acceptance grew out of a striking national indifference to military geography. To be specific: After the Spanish-American War we acquired the Philippines from Spain. If we had insisted, we also could have bought from Spain the Mariana, Caroline, and Palau Islands for around \$4,500,000. We took only Guam. The Germans bought the rest, and after the First World War they, along with the Marshalls, were mandated to Japan under the Treaty of Versailles—which bound Japan not to fortify them.

The American Navy endeavored, at various times in the 1920's, to visit these islands athwart our Pacific life line, but the inquiry that went from the State Department to our Ambassador in Japan, and from him to the Japanese foreign office, thence to the Japanese Navy, brought the obvious refusal of permission. Thus by inertia we accepted a fatal limitation on our freedom of action in the Pacific. As far as the agreement not to fortify is concerned, the pill boxes, the guns, and barbed wire on Kwajalein, where I landed February 2, indicated that the Japanese, to say the least, had an elastic view of the verb "to fortify."

No one individual is to blame for this inertia. It was a national characteristic. It was part and parcel of our reliance on abstractions and of our lack of understanding of geography. We did not understand that moral suasion would not impress Japan, and we failed to realize that, without an adequate bridge of bases across the Pacific, we could not defend the Philippines or support our open-door policy in China. In other words, while continuing to assert an opinion and influence in Asiatic affairs, we denied ourselves the military means to hold the Philippines or to operate effectively in the western Pacific.

Nearly 4 years have elapsed since July 1940, when America embarked upon its defense program; becoming the greatest sea and air power on earth. We have, besides building warships for our allies, added to our own fleet 9 battleships, over 70 aircraft carriers, 34,500 planes, a score of cruisers, more than 500 destroyers and destroyer escorts, over 100 submarines, and thousands of landing craft, auxiliaries, and patrol and mine craft. America has turned out naval ships and planes in quantities and at a rate that even the Navy itself thought impossible.

We have had time to do it—time gained for us by the single-handed defense of Eng-

land in 1940-41, and the mighty resistance of colossal Russia. Next time there may be no such breathing spell, and whatever our potential power may be, the swift tempo of modern war will not permit that potential strength—manpower, raw materials, manufacturing capacity—to be made into the weapons that war demands. In the next war, the enemy may be over our homes on the first day of hostilities.

What shall we do with these armadas of sea and air that we have built and are still building? Shall we sink or destroy them again and go back to the dream that peace is the natural state of man and that geography insulates us from war? If we do, we are tempting fate.

The peace of the world and our own security demand the retention of the sea and air power which America will hold in its hands when the war is over. Just how much, in terms of numbers of ships and planes and other equipment, needs to be kept in active operation as our contribution to the peace which we and our allies evolve, is a matter for skilled judgment by professional naval officers. But the fundamental assumption—that we need to keep our relative naval sea and air power—must, I submit, become a matter of national doctrine. It must be understood by the people of Indiana and Kansas and Montana—by the people who live in the central part of the country—as well as by the residents of California and New York and all our other maritime States.

If we accept the postulate of a strong sea-air power and the premise that potential enemies must be beaten before they reach our coasts, then seven corollaries inevitably follow:

1. We must have adequate bases wherever our strategists and tacticians advise us they are necessary.
2. We must have access to adequate raw materials, especially oil and iron ore, both in this country and abroad. With the advent of air power, mechanized land armies and oil-burning ships, the control of large oil reserves became of paramount military importance.
3. We also should keep intact, under grease if necessary, the key munition plants which we have built since 1940. I have in mind factories like the torpedo plants at Highland Park, Ill., and St. Louis, Mo.; the aircraft-engine plant at Kansas City, Mo.; the ordnance plants at Detroit, Mich., and Columbus, Ohio; and the heavy forges at South Charleston, W. Va.
4. An alert Navy must have appropriations from Congress for extensive research in time of peace. Research before a war is the only research which will do us any good on the day the enemy strikes.
5. To avoid becoming outmoded, the Navy must have funds to build the new weapons which its research discovers. Perhaps construction of new weapons can be limited to a few prototypes; volume of new construction will depend upon the importance of the new inventions and upon the current blood pressure of the world community.
6. If we are to keep our Navy and naval air arm in fighting trim, we must maintain reserve-naval-training courses in the leading colleges, and, what is possibly more important, must see to it that we have ample numbers of those men who are the backbone of any fleet—petty officers and chief petty officers. Ships and planes and guns are the bone and sinew of a navy, but trained men are its heart and brain.
7. We must maintain such a navy as I have described in continuous training. That again means spending moderate sums of money. In peacetime, it was an epochal event to have a live torpedo fired in practice, because torpedoes cost \$13,000 apiece. Yet the only way

to be sure that our torpedoes have the lethal punch which we expect of them is to try them out in peacetime. Although the American Navy had more adequate gunnery practice than any other, the total amount available for gunnery, bombing, and torpedo practice for the fleet in 1937 was \$4,000,000. Even in 1939 it was only \$7,000,000.

In contrast, I saw surface vessels alone pump \$3,000,000 worth of shells into the tiny Kwajalein islands of Roi and Namur in 3 days.

In spite of this war, we shall continue to be a peace-loving Nation, with neither greed nor desire for world domination. The very concept of imposing our rule upon other people is not consistent with our national character and would be repugnant to our people. Therefore, it is good and desirable that we keep the dream that someday, somehow, a framework of permanent peace will be evolved by men of sense and good will throughout the world.

In the meantime, we dare not forget an anonymous admiral's words after the last war: "The means to wage war must be in the hands of those who hate war." That should be on the desk of every Representative and Senator, at the masthead of every newspaper and in the mind of every voter.

#### INTER-AMERICAN RELATIONS AND DISCRIMINATORY LABOR PRACTICES—ADDRESS BY SENATOR CHAVEZ

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an address by him on the subject Inter-American Relations and Discriminatory Labor Practices in North American Business and Industry, broadcast over Station WOL, Washington, D. C., September 9, 1944, which appears in the Appendix.]

#### FACING FORWARD—ADDRESS BY SENATOR WILLIS

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an address entitled "Facing Forward," delivered by him at a meeting of the Republican Editorial Association at French Lick, Ind., on September 9, 1944, which appears in the Appendix.]

#### THE INDIANA FARMER AND THE POST-WAR PERIOD—ADDRESS BY SENATOR JACKSON

[Mr. JACKSON asked and obtained leave to have printed in the RECORD an address entitled "The Indiana Farmer and the Post-war Period," delivered by him to an audience of farmers in Indiana, which appears in the Appendix.]

#### FARM PROGRAM: THE FARM PROBLEM IS A PRICE PROBLEM—STATEMENT BY SENATOR THOMAS OF OKLAHOMA

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a statement by him entitled "Farm Program," made to the farmers of Oklahoma, which appears in the Appendix.]

#### COMMENT BY SENATOR LUCAS ON GOVERNOR DEWEY'S VIEWS ON DEMOBILIZATION PLAN—ARTICLE FROM CHICAGO SUN

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "Lucas Assails Dewey View on Demobilization Plans," published in the Chicago Sun for September 12, 1944, which appears in the Appendix.]

#### GENERAL MACARTHUR'S ROLE IN THE WAR AGAINST JAPAN—BROADCAST BY MARTIN AGRONSKY

[Mr. HATCH asked and obtained leave to have printed in the RECORD the script of a radio broadcast relating to General MacArthur's role in the war against Japan, delivered by Martin Agronsky on September 13,

1944, from Washington, D. C., which appears in the Appendix.]

#### THE LIVESTOCK AND MEAT SITUATION—ADDRESS BY WILLIAM B. WRIGHT

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an address delivered by William B. Wright, vice president of the American National Livestock Association, at Jackson, Wyo., June 7, 1944, before the convention of the Wyoming Stock Growers' Association, which appears in the Appendix.]

#### ADDRESS BY QUENTIN REYNOLDS BEFORE DEMOCRATIC NATIONAL CONVENTION

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD the address delivered by Quentin Reynolds before the Democratic National Convention in Chicago on July 20, 1944, which appears in the Appendix.]

#### DON'T GIVE UP SCHOOL—MESSAGE FROM GOVERNOR SCHOEPEL OF KANSAS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a message entitled "Don't Give Up School," addressed to Kansas young folk of high-school age by Gov. Andrew F. Schoepel, which appears in the Appendix.]

#### ANGLO-AMERICAN OIL AGREEMENT—MEMORANDUM BY GEORGE A. HILL, JR.

[Mr. MOORE asked and obtained leave to have printed in the RECORD a discussion of the Anglo-American oil agreement by George A. Hill, Jr., before the Petroleum Industry War Council, which appears in the Appendix.]

#### BLUE PRINT FOR A VIRILE CONGRESS—ARTICLE BY PROF. WALTON HAMILTON

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an article entitled "Blue Print for a Virile Congress," written by Walter Hamilton, professor of law at Yale University, and published in the magazine section of the New York Times of September 10, 1944, which appears in the Appendix.]

#### THE SIOUX INDIANS IN SOUTH DAKOTA—ARTICLE BY WESTBROOK PEGLER

[Mr. BUSHFIELD asked and obtained leave to have printed in the RECORD an article by Westbrook Pegler relating to the Sioux Indians in South Dakota, from the Washington Times-Herald of September 15, 1944, which appears in the Appendix.]

#### THE LINE AGAINST INFLATION—EDITORIAL FROM THE NEW YORK TIMES

[Mr. WALSH of New Jersey asked and obtained leave to have printed in the RECORD an editorial entitled "The Line Against Inflation," from the New York Times of September 12, 1944, which appears in the Appendix.]

#### A NON-JEW SPEAKS—POEM BY RICHARD W. HOGUE

[Mr. HILL asked and obtained leave to have printed in the RECORD a poem entitled "A Non-Jew Speaks," by Richard W. Hogue, which appears in the Appendix.]

#### DISTRIBUTION OF ELECTRIC LIGHT AND POWER FROM FORT PECK

Mr. LANGER. Mr. President, a week ago today I introduced Senate bill 2140 providing for distribution of electric light and power from Fort Peck among the farmers of North Dakota and Montana and the Missouri Valley States.

The response I received from the farmers there indicates their tremen-

dous interest in the speedy passage of this measure.

Particularly are the farmers of North Dakota interested because they followed with intense interest the fight I put up as Governor of the State for rural electrification. When the legislature passed the first bill, I refused to sign the measure unless the bill was enlarged to take in more territory and enable the projects to have more customers on their lines and thereby cheapen the estimated cost. Then we established an R. E. A. project at Kindred, Cass County, N. Dak., and in a short space of time had 1,400 farmers signed up with the power being furnished by the municipal plant at Valley City, N. Dak., and at the end of 1940 we had 3,218 farmers, but we were still, out of the 48 States, the lowest in the Nation.

Since then I have assisted in the establishment of other projects, and at the end of 1943, 5,100 farmers were receiving such service, but there we are today still the lowest in the United States.

Some Senators may wonder why in a great agricultural State like North Dakota, noted for its progressive laws, such a condition can exist. It exists, Mr. President, because of the fact that those whom the farmers' wives depended upon to take the drudgery out of much of the farm life, paid no attention to their needs or wants. The power logically should come from the Fort Peck Dam, that great project which already has cost the taxpayers \$118,000,000 but it has not been utilized, and the more I have investigated the situation in the interest of the farmers and the people living in small towns, the more disgusted I have become. The Fort Peck Dam was created, the farmers thought, to provide them electricity for power and light and water for irrigation. That is what I thought when, as Governor of the State, I signed the bill creating the first State water board for North Dakota, but to my amazement I discovered that not a single drop of water from the Fort Peck Dam could be used for irrigation purposes, with the result that the other States have irrigation projects in larger amounts than North Dakota.

The record is as follows:

*Lands irrigated in various States based upon 1940 census of irrigation*

State:	Acreage irrigated
Montana.....	1,711,409
Nebraska.....	610,379
Wyoming.....	1,486,498
North Dakota.....	21,615

So, you see, Mr. President, not only do we stand the lowest in the number of farmers receiving electric service of any State in the Union, but we have the additional unforgivable, undeniable disgrace of having only 21,615 acres irrigated, when our neighboring State of Montana has 1,711,409. Land that during the drought sold as low as \$1 per acre became worth \$200 an acre overnight when water was placed on it, and North Dakota has 1,266,440 additional acres that can be irrigated, but North Dakota farmers have secured none of the increase, although as of June 30, 1942, a total of \$12,460,054.17 has been paid into the Reclamation fund; from the sale of public lands in the State of



North Dakota \$12,219,646.27, and from oil royalties and rentals \$240,407.90.

When I was Governor and head of the State water commission we succeeded in getting two projects established, the lower Yellowstone project and the Buford-Trenton project, but even those were very slow in being realized because we had to start from scratch, having had to hire engineers and make investigations of those projects and others, so that of the \$12,000,000 that has long, long been available, less than 25 percent has been spent and the rest of the money has been lying in Washington for years.

Mr. President, this situation should have been taken care of years ago, and certainly during the last 10 years when the R. E. A. was in existence, but nothing was done. I have taken care of the electric and power situation in my bill S. 2140, and some months ago I introduced a bill, Senate bill 1889, to take care of the irrigation situation.

Frankly, Mr. President, I apologize to the people of North Dakota for the lack of interest shown in them by those who they thought were representing them here in Washington [but an apology is a small recompense to those poor housewives who have had to slave by the light of a kerosene lamp and break their backs over washboards and churns, and the husbands who had to pump their water and do hard chores because of the fact they could not get electric power]. I apologize, Mr. President, to each and every farmer in the Northwest who has been without power and light, to each and every farmer's wife and to each and every farmer's child whose eyesight has been hurt because of not having a proper lighting system. Almighty God placed the water and power for farmers to use, and the fact that it was not used is a disgraceful, unforgivable fact and the men responsible for it cannot be too severely condemned. I hope, as a Senator, to put in my time here in Washington and not go about speaking all over the United States at so much a speech—while neglecting the farmers, their wives and children, and the folks in the little towns.

#### THE DUMBARTON OAKS CONFERENCE

Mr. WILEY. Mr. President, about a week previous to the making of the dynamic statement on the floor by the distinguished senior Senator from Michigan [Mr. VANDENBERG] a number of Senators were catechised by a member of the press as to their position in relation to conferring blanket power upon the representative of this Government in the so-called authority or league or council, whatever will come into being as the result of the Dumbarton Oaks Conference and action by the Senate of the United States. My answer then was substantially as follows:

In connection with the subject of what power should be lodged in the organization or the league or the authority which is being contemplated, necessarily a great number of questions arise. So far as we are concerned the question is, What authority can Congress confer? Can Congress, if it sees fit, confer blanket authority upon its representative on the council to vote to use military force to preserve

the peace? The Constitution provides that Congress alone has authority to declare war. We know that down through our history the Executive has used the armed forces of this country to preserve the peace in the Western Hemisphere and elsewhere without congressional authority, as was demonstrated clearly the other day by the distinguished senior Senator from Texas [Mr. CONNALLY].

There is perhaps no clear line of demarcation between instances in which the President has used force to preserve the peace, and actual war, requiring a declaration by Congress. However, it would seem that when a treaty is made and approved by Congress, which includes provisions for the preservation of world peace, authority might be conferred which would be somewhat analogous to the constitutional power of the President, but not in derogation thereof, to preserve the peace and enforce treaty obligations, short of making war.

It has been said that the American people would not consent to confer upon an international authority the power to declare war, involving the need of American military forces outside the Western Hemisphere; but I repeat that there are numerous instances of military force being used, under constitutional Executive authority, which did not require a declaration of war by the Congress. Of course, speaking from a strictly constitutional viewpoint, such a power to declare war could not be conferred by Congress. It would require a constitutional amendment. However, there is a difference between "declaration of war" and conferring power in a treaty "to enforce the peace." That is the idea with respect to which Americans must be clear. As a result of the Dumbarton Oaks Conference, and other conferences among the representatives of this Nation and other members of the Big Four or Big Five, which will soon include France, I trust that before long a definite policy will be laid before this body. Then we can thresh out this whole subject.

Only last week I introduced a resolution providing for a report to the Senate, the copartner in treaty making, by the Secretary of State, of the steps which were in contemplation and of the commitments, if any have been made. Taking language out of the mouth of the distinguished senior Senator from Michigan [Mr. VANDENBERG], who used it in relation to another matter today, I am hoping that the committee will soon act on that resolution.

#### FEDERAL AID FOR POST-WAR HIGHWAY CONSTRUCTION

The Senate resumed consideration of the bill (S. 2105) to amend and supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad grade crossings, to provide for the immediate preparation of plans and acquisition of rights-of-way, and for other purposes.

Mr. HAYDEN. Mr. President, the Committee on Post Offices and Post Roads, at meetings yesterday and the

day before, considered numerous amendments to the bill submitted by various Senators, which amendments had been printed and referred to the committee. The committee, on its own motion, acted on a number of suggestions and recommended certain changes in the text of the bill. At the direction of the committee I have had prepared a committee print, dated September 15, which shows the amendments recommended by the committee. The amendments recommended by the committee are printed in italic. I am sure that it would save the time of Senators if I could obtain unanimous consent to have the text of the committee print considered in lieu of the text of the bill as reported to the Senate. We could then take up the committee amendments and dispose of them in that way.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

Mr. WHITE. Mr. President, as I understand, the Senator is asking that the committee print, either improving or marring the bill as originally reported, be considered in lieu of the bill as reported to the Senate?

Mr. HAYDEN. That is correct.

Mr. WHITE. I am in complete harmony with the request. I believe the Senator's suggestion would make a contribution toward the disposition of the bill.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MALONEY. I should like to ask the Senator a question. I have not had an opportunity to study the committee print carefully. However, I have heretofore submitted certain amendments. If we follow the procedure now suggested, it will be necessary to change all those amendments. Would it be agreeable to the Senator to have amendments submitted for consideration at the proper place in the bill?

Mr. HAYDEN. The idea I had in mind was that we should first consider the committee amendments. The bill would then be open to further amendment.

Mr. MALONEY. I thank the Senator.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona that the committee print be considered in lieu of the bill as originally reported from the committee? The Chair hears none, and it is so ordered.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the bill be read for amendment, and that the amendments of the committee be first considered.

The VICE PRESIDENT. Without objection, it is so ordered.

The first amendment reported by the committee will be stated.

The first amendment of the Committee on Post Offices and Post Roads was, in section 1, on page 2, line 4, after the word "mapping", to strike out "costs of rights-of-way"; and in line 5, after the word "crossings", to insert "but does not include costs of rights-of-way."

Mr. WILEY. Mr. President, will the Senator make a statement showing what the committee has accomplished?

Mr. HAYDEN. I think before we consider the committee amendments I should perhaps make a brief statement.

Senators will notice that the first amendment strikes out the words "costs of rights-of-way." That amendment was recommended by the committee on the suggestion of the Senator from Georgia [Mr. RUSSELL]. Senators will remember that he discussed the question on the floor of the Senate. The committee took that action because heretofore the Federal Government has never contributed anything toward the costs of rights-of-way. That has always been a State expense.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BRIDGES. Is the committee print available?

Mr. HAYDEN. It is on the desks of all Senators.

The first amendment, to which I have just referred, involves a series of amendments, on page 2, page 3, and page 12. It even involves an amendment to the title of the bill.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WILEY. Just what does that amendment mean? Does it mean that the matter of rights-of-way is now entirely a State matter?

Mr. HAYDEN. It has always been a State matter. The bill which was reported to the House—and in the beginning we adopted the House view—proposed that the Federal Government contribute toward the costs of rights-of-way; but now, by action of the committee, wherever that term appears in the bill it is to be stricken out, leaving the situation as it is under existing law.

Mr. WHITE. Mr. President, will the Senator yield for a general inquiry?

Mr. HAYDEN. I yield.

Mr. WHITE. Do the amendments which appear in the committee print come to the Senate with the unanimous approval of the committee; or was there a division with respect to some of them?

Mr. HAYDEN. Undoubtedly there is a division with respect to some of them. I know that there is a division with respect to the question of rights-of-way. There is a very decided division of opinion. I am merely stating what is in the bill. When we come to consider whether or not any particular amendment shall be adopted, undoubtedly discussion will ensue.

Mr. WHITE. I had the impression that the amendments were unanimously agreed to by the committee. I wished to make sure whether that was true.

Mr. HAYDEN. No.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. McKELLAR. The committee was practically unanimous in the end. The Senator from Michigan [Mr. FERGUSON] objected to the rights-of-way provision, and I believe also with respect to the definition of "urban area." He will explain his position when the time comes; but, with that exception, I believe that the committee was practically unanimous.

Mr. HAYDEN. The next amendment of consequence, suggested by the Senator from Tennessee [Mr. McKELLAR], is on page 3. It makes it perfectly clear that no money will be appropriated under this authorization until after the war is over. The suggested proviso reads as follows:

*Provided further,* That except for the sum appropriated pursuant to the preceding proviso, no part of the funds made available pursuant to this act shall be used to pay costs incurred under any construction contract entered into by any State before the beginning of the first post-war fiscal year.

The "sum appropriated pursuant to the preceding proviso" is a comparatively small sum.

The first post-war fiscal year is defined as follows:

The first post-war fiscal year shall be that fiscal year which ends on June 30 following the termination of the present war emergency, or as otherwise directed by the Congress.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WILEY. If I correctly understand, no funds will be appropriated until after the last shot is fired and either the Congress or the President declares that the war is terminated.

Mr. HAYDEN. That is correct.

Mr. WILEY. In other words, if as a matter of fact we were in possession of Japan and were fighting there for some time, this provision would not go into operation unless the Congress declared that the war was over; is that correct?

Mr. HAYDEN. That is correct.

Mr. WILEY. Or unless the President so declared?

Mr. HAYDEN. That is correct.

Mr. BALL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BALL. I am not sure that the language "before the beginning of the first post-war fiscal year" is quite clear. For instance, does it mean that if the war is over in January, contracts entered into up to June 30 of that fiscal year will be eligible for assistance, under the provisions of the bill? Or would it be in the following year?

Mr. HAYDEN. One enters into a contract when he has authority to do so. The provision granting the authority states:

*Provided,* That of the sum authorized to be appropriated for the first of such fiscal years \$100,000,000 may be appropriated to become available immediately upon appropriation—

And so forth. Then it says—

*Provided further,* That except for the sum appropriated pursuant to the preceding proviso, no part of the funds made available pursuant to this act shall be used to pay costs incurred under any construction contract entered into by any State before the beginning of the first post-war fiscal year. The first post-war fiscal year shall be that fiscal year which ends on June 30 following the termination of the present war emergency, or as otherwise directed by the Congress.

Mr. BALL. Does that mean that if the termination of the war emergency occurs in, let us say, January 1946, any contract entered into in the fiscal year ending June 30, 1946, would be included, under

the bill as now written? Or would it be contracts entered into in the fiscal year ending June 30, 1947?

Mr. HAYDEN. It is bound to be those entered into in the following fiscal year, because, so far as the appropriation is concerned—the paying out of money, which is what we are concerned with—the money could not be paid out until the State made a contract, until that contract was approved by the Federal Works Administration in Washington, and the State did the work. Then we would pay our share. So it follows about a year behind. There is generally about a year's lag.

Mr. BALL. If the war ends in January, we do not want to make the States wait until the following June 30 to let contracts under this authority. If they are going to do work immediately after the war, they will have to let the contracts before that.

Mr. HAYDEN. The Senator is correct.

Mr. BALL. I am not clear what that language means.

Mr. HAYDEN. Let us say that the war ends on the 15th of January; then it will be the fiscal year ending June 30 following.

Mr. BALL. So within 6 months they will be able to let the contracts?

Mr. HAYDEN. That is correct.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BURTON. I understand that it means any time after the end of the war.

Mr. HAYDEN. That is correct.

Mr. BURTON. That is, it is not to be postponed to any time after the war is at an end.

Mr. HAYDEN. When the war is at an end, it will go into effect.

Mr. BURTON. That is correct, because the first post-war fiscal year is going on at the time when the war ends. Immediately after the war ends the expenditure can be made, and the contract can be made at any time before that.

Mr. McKELLAR. That is correct.

Mr. HAYDEN. That is right.

The next important change in the bill is in respect to the reduction in the amounts. The bill as introduced authorized the appropriation of \$650,000,000 a year for 3 years. The committee made a change, first, by providing that the contribution of the States and the Federal Government should be 50-50; in other words, that it should be equal, instead of 60 percent Federal and 40 percent by the States. When that change was made, of course it reduced the ability of the States to match, because they will have to put up an equal sum, rather than 40 percent. That was one reason why the amount authorized to be appropriated was reduced. Some question was raised as to whether the States could match \$650,000,000 on a 50-50 basis. So that was one reason why the reduction was made.

In apportioning the amount left after the proposed reduction, the \$450,000,000 is proposed to be divided as follows:

Two hundred million dollars a year for projects on the Federal-aid highway system, instead of \$250,000,000, as heretofore proposed.

One hundred and twenty-five million dollars a year to be available for projects



on the principal secondary and feeder roads—the farm-to-market roads—instead of \$200,000,000.

And \$125,000,000 for projects on the Federal-aid highway system in urban areas.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BUSHFIELD. I should like to inquire whether under the authorization for appropriations for urban areas—let us say, for instance, the city of New York—when it receives its quota or share of that allotment, will it also receive part of the Federal-aid funds, the \$200,000,000 the Senator just mentioned?

Mr. HAYDEN. Oh, yes.

Mr. BUSHFIELD. That would be giving them a double allotment, would it not?

Mr. HAYDEN. Oh, no.

Mr. BUSHFIELD. Why not?

Mr. HAYDEN. Every State has the same status.

Mr. BUSHFIELD. I do not mean only in New York; I mean in any State. Why should an urban area or city participate in the general Federal-aid funds, in addition to what is allowed for the area or city?

Mr. HAYDEN. The same principle is applied to other areas. The rural areas participate in the Federal-aid fund. The farmer or merchant or rancher comes into town on a Federal-aid highway. He participates in its use just as much as does the city resident through whose city the Federal-aid highway goes. It can be improved within the city limits, as well as outside of them. I do not think a double amount is provided for at all. Certainly I think it would not be advantageous to the rest of the Nation to say that Federal funds could not be used to improve a road within a city, for, in that event, the farmer himself could not get through the town if the road or streets there had not been improved.

Mr. BUSHFIELD. Is the authorization confined merely to the main street, or would it apply to all the streets of the city?

Mr. HAYDEN. No; it is confined to the Federal-aid system going through the city.

Mr. BUSHFIELD. Then it would be confined to one or two or perhaps three streets going through a city; is that correct?

Mr. HAYDEN. That is correct.

Mr. BUSHFIELD. They would be the only ones on which the money could be expended; is that correct?

Mr. HAYDEN. Yes; they would be the only ones on which the money could be expended.

Mr. TUNNELL. Mr. President, if the Senator will yield to me, I should like to inquire whether a State must raise the full amount of its quota, or will it be able to benefit to the extent of the amount it does raise?

Mr. HAYDEN. The Senator's last statement is correct. No State is obligated to raise any particular amount of money at all, but it is assured that its proper share will be available if it matches it 50-50.

Mr. TUNNELL. And it will benefit only according to the amount it does raise; is that correct?

Mr. HAYDEN. That is correct.

Mr. TUNNELL. I thank the Senator.

Mr. LANGER. Mr. President, in connection with the question asked a moment ago by the Senator from South Dakota [Mr. BUSHFIELD], I call attention to the language on page 4, lines 7 to 11. Of course, we should not have any misunderstanding about this matter. In towns of less than 5,000 population, not only one street, but all the streets, can be improved.

Mr. HAYDEN. That is correct. So far as the smaller towns are concerned, they come under the secondary system.

Mr. MALONEY rose.

Mr. HAYDEN. I yield to the Senator from Connecticut.

Mr. MALONEY. I wish to ask the able senior Senator from Arizona if the provisions of the bill do not go beyond the anticipation of the Senator from Delaware [Mr. TUNNELL]. Is it not possible for the States under certain conditions to obtain more than the amount of money suggested by him, if they do not raise by taxes a sufficient amount?

Mr. HAYDEN. There is an amendment, offered by the Senator from Pennsylvania, which I had intended to discuss in a moment. In connection with the secondary-road funds, it has been urged, particularly in respect to the Northeastern States, which are primarily concerned with the city-traffic problem, that they have already improved their secondary roads to such an extent that they do not need the Federal aid-money. For instance, in States such as Connecticut or Massachusetts one town practically runs into another. So the Senator from Pennsylvania [Mr. DAVIS] offered the following amendment, which was adopted by the committee:

*Provided further, That in any State having a population density of more than 200 per square mile, as shown by the latest available Federal census, the said system may be selected without regard to included municipal boundaries.*

In other words, in the case of a secondary highway which comes up to a municipal boundary, at the present time none of the money can be spent within the limits of the town if the town has 5,000 population or more. The amendment would permit the secondary-highway money to be used to improve roads within town limits in the very thickly settled States. The argument was that it was of no concern to the other States. It did not affect their portion of the money to be used. It was necessary to handle it in that way in order to meet the existing situation.

The States which would be affected by the amendment are Rhode Island, with a density of population of 674.2 a square mile; New Jersey, with a density of population of 533.9 a square mile; Massachusetts, with a density of population of 545.9 a square mile; Connecticut, with a density of population of 348.9 a square mile; New York, with a density of population of 281.2 a square mile; and Pennsylvania, with a density of population of 219.8 a square mile.

Following that amendment was the proposal made by the Senator from Delaware [Mr. BUCK]. He stated that the State highway departments of Delaware, North Carolina, and Virginia had taken over control of all the roads in those States. There is no county authority, or any other authority, with respect to the supervision of the roads. The State highway department looks after all the roads in each of those States. Under those circumstances, it was stated, there was no occasion or necessity for a division into the categories to which I have referred. So the Senator from Delaware made the following proposal:

That any of such funds for secondary and feeder roads which are apportioned to a State in which all public roads and highways are under the control and supervision of the State highway department may, if the State highway department and the commissioner of public roads jointly agree that such funds are not needed for secondary and feeder roads, be expended for projects in such State on the Federal-aid highway system.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. McCLELLAN. That would enable, would it not, every State to obtain the full benefits which are provided in the pending bill, whether the money were used on secondary roads, or on the Federal-aid highway system?

Mr. HAYDEN. Yes; provided that the State highway department has control of all the roads within the State. There are only three States in that category, namely, Delaware, Virginia, and North Carolina. I understand that the State of West Virginia is rapidly approaching such a status.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LANGER. Under the language of the bill to which the Senator has referred, there would be no penalizing of any other State in its allotment of funds, would there?

Mr. HAYDEN. No.

Mr. BYRD. Mr. President, will the Senator yield in order that I may propound a question to him?

Mr. HAYDEN. I yield.

Mr. BYRD. Am I to understand that funds appropriated for secondary roads within the States to which the Senator has referred might be used on primary roads?

Mr. HAYDEN. Not unless the State highway department and the Public Roads Administration so agree.

Mr. BYRD. In Virginia the State constructs and maintains all roads. As I understand, the funds could be diverted only at the discretion of the bodies referred to by the Senator?

Mr. HAYDEN. If the State highway department and the Public Roads Administration should agree that such a diversion were necessary in the State of Virginia, it could be made.

Mr. BYRD. But it would not be mandatory?

Mr. HAYDEN. No.

Mr. BYRD. Personally, I wish to see the farm-to-market roads given as much help as possible.

Mr. HAYDEN. Yes.

Mr. BYRD. But such help would be entirely discretionary.

Mr. HAYDEN. Yes.

Mr. BYRD. Would the fund be available for grading and maintenance as well as construction?

Mr. HAYDEN. No.

Mr. BYRD. Then I believe this would raise a very serious objection. Many of our secondary roads are only maintained and graded. They are not constructed. They are scraped and graded and kept in good condition by minor repairs. In Virginia there are certain types of soil which have a solid surface. Why would it not be proper to use a portion of the funds for maintenance?

Mr. HAYDEN. In so doing we would depart from a principle which was adopted many years ago.

Mr. BYRD. Who would determine the specifications for secondary roads?

Mr. HAYDEN. That would be done by agreement.

Mr. BYRD. Would not the Federal Government have a final voice in the matter?

Mr. HAYDEN. No.

Mr. BYRD. I think it would, because it could refuse funds for any construction of which it did not approve.

Mr. HAYDEN. The following provision relating to secondary roads will be found on page 4 of the bill:

*Provided, That these funds shall be expended on a system of such roads selected by the State highway departments in cooperation with the county supervisors, county commissioners, or other appropriate local road officials and the Commissioner of Public Roads.*

Mr. BYRD. I am speaking of the various types of construction. Under this bill, would not the Federal Government have control over the type of construction of secondary roads?

Mr. HAYDEN. I think that the answer could be put in this way: The Federal Government is interested in seeing that the money is not wasted, and for that reason it should have something to say about the width and the type of the road to be constructed.

Mr. BYRD. The Government will have control of the type of construction.

Mr. HAYDEN. No.

Mr. BYRD. Yes; it will. The Government has control in connection with primary roads at the present time. The Federal Government can now refuse to allot funds for any construction project the type of which it does not approve. Is that not true?

Mr. HAYDEN. Technically, it is true.

Mr. BYRD. It is true, whether technically or not.

Mr. HAYDEN. Would not the Senator from Virginia be opposed to the expenditure of money from Federal funds if the Government did not approve of it?

Mr. BYRD. I think the Federal Government can veto any type of construction of roads which the State may recommend.

Mr. HAYDEN. Would the Senator take away entirely such veto power and say that we should appropriate money from the Federal Treasury without the right to exercise any supervision over it hereafter?

Mr. BYRD. I am not now concerned with the question of primary roads. The construction of such roads has been standardized, and it is well understood. But we are being asked to consider projects in a comparatively new field, relating to secondary or farm-to-market roads, many of which do not require construction and have many types of construction. It is possible for the Federal Government to establish standards with which the State cannot comply.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield.

Mr. McKELLAR. From the very beginning that has been the law with regard to primary roads. I have never heard of a difference existing between the State authority and the Federal Government which has not been adjusted. It will be so with regard to secondary roads. I am sure that whatever standards may be set up, they will be set up in such a manner as to carry out the provisions of the proposed act according to its purpose, and it will be exceedingly beneficial to the States, in my judgment, for them all to agree to the standards and carry them out just as has been done with regard to primary roads which, in my judgment, have been the greatest success of any road system that was ever inaugurated in the world.

Mr. BYRD. At the beginning of the construction of primary roads there was a great deal of dissension between the States and the Federal Government. At one time we had accumulated in Virginia a fund of five or six million dollars because the State and the Federal Government could not agree upon types of construction. This was a long time ago, it is true.

In Virginia we have 50,000 miles of roads, about 10,000 in the primary system and 40,000 in the secondary system. It would be impossible to construct all of such mileage with solid construction. Why should not some of the proposed funds be used for maintenance as well as construction?

Mr. HAYDEN. Only because the Federal Government has never, up until now, adopted such a policy.

Mr. BYRD. Has it ever embarked on a program of this magnitude and character to improve farm-to-market roads?

Mr. HAYDEN. Yes; the Government started to do so about 10 years ago.

Mr. BYRD. How much money was appropriated?

Mr. HAYDEN. Up until now the Government has appropriated a total of approximately \$150,000,000.

Mr. BYRD. How much did it appropriate last year?

Mr. HAYDEN. I believe it appropriated approximately \$25,000,000.

Mr. BYRD. It is now being proposed to increase the appropriation to \$125,000,000.

Mr. HAYDEN. Yes.

Mr. BYRD. I think we should consider the advisability of using some of those funds for maintenance. What objection could there be to doing so?

Mr. HAYDEN. The objection is that if we begin paying for maintenance of any kind of a road we will not have a high-

way system, and our money will be frittered away.

Mr. BYRD. Our money will not be frittered away if we use it efficiently for the purpose of maintenance of roads.

Mr. HAYDEN. How many miles of secondary highway does the Senator estimate there are in Virginia?

Mr. BYRD. Of the approximately 50,000 miles, about 10,000 miles are in the primary system, the remaining 40,000 miles in the secondary system.

Mr. HAYDEN. How much of the 40,000 miles can be handled by maintenance?

Mr. BYRD. A great deal of it can be; in lower Virginia where the soil is sandy much of it can be.

Mr. HAYDEN. It cannot be done in a clay area.

Mr. BYRD. No; not in a clay area, but it can be in a shale area and in a sandy area.

Mr. HAYDEN. What is the cost of maintenance of the State of Virginia primary roads in the sandy section?

Mr. BYRD. At the moment I cannot give the Senator the figures, but dragging or scraping the roads every 60 or 90 days will keep them in good condition.

Mr. HAYDEN. If it is not expensive, then the local authorities can take care of it; but when it is necessary to do work that will keep vehicles out of the mud and out of the clay so that they will not bog down it is necessary to use gravel.

Mr. BYRD. Will the Senator accept the amendment offered by the Senator from South Dakota [Mr. BUSHFIELD] providing that secondary roads shall be constructed under plans and specifications approved by the State highway department for each State?

Mr. HAYDEN. Does the Senator seriously recommend that we shall appropriate money out of funds in the Treasury and shall have no supervision over its expenditure and as to how the work shall be done?

Mr. BYRD. I asked the Senator if he would accept the amendment of the Senator from South Dakota.

Mr. HAYDEN. I doubt if it would be acceptable to the Senate.

Mr. BYRD. There may be some supervision, but I do not think the Federal Government should be permitted to make an allocation of \$125,000,000 for the purpose of constructing costly types of secondary roads, and determine the whole matter itself. If that is done, I fear it will destroy the entire project.

Mr. McKELLAR. Mr. President, let me call the attention of the Senator from Virginia to a fact. The Senator recalls, as we all recall, the authorization for W. P. A. roads. They were built virtually without supervision by anybody; they were built for a different purpose, largely to create employment, and in that way they probably did some good. But the difficulty of maintaining them, of dragging the roads, and things of that sort almost brought on a scandal at the time. We do not want to repeat it. The Government in handling this money has handled it well and has cooperated with the States in a most proper fashion, it seems



to me, in establishing a great system of primary roads. I am quite sure that if the Senator will permit this bill to go through as the committee has recommended it, he will find that it will afford the best possible means of providing roads in the various States.

Mr. BYRD. I may say to the Senator from Tennessee there is no comparison whatever between W. P. A. and what they did and the roads built by the State highway departments. The roads built by the State highway departments are efficient, and, so far as maintenance is concerned, there are thousands and hundreds of thousands of roads which require nothing but maintenance, and probably never will require anything but maintenance for years to come. The money spent on maintenance is the most effective that can be spent.

Mr. BARKLEY. Mr. President, if the Senator from Arizona will yield, I think it was true, it certainly was in my State, that the W. P. A. roads were worked out and constructed and improved in conjunction with the county road authorities. I do not know of any road in my State that was simply taken over; the W. P. A. had no jurisdiction over the roads; they had to work out their plans with the county road authorities, and in many cases with the State highway departments. Some of the best roads built in my State were built by W. P. A. in cooperation with the county authorities and all the more important roads which were improved were improved largely in cooperation with the State highway commission. So I do not think it is quite fair to say that the W. P. A. just barged in, and did a lot of unnecessary work merely to give people jobs.

Mr. HAYDEN. It depended upon what kind of an arrangement was made with the States—

Mr. BARKLEY. It had to be a cooperative arrangement.

Mr. HAYDEN. Because the county sponsored the project. The W. P. A. in many States utilized the engineering advice and skill of the State highway department, and did a good job; in other places they did not; there was no uniform rule.

Mr. BARKLEY. I do not know of any case in which even when the W. P. A. took charge and spent all the money necessary to improve a road the county did not sponsor it and put up a certain amount.

Mr. LANGER. Mr. President, in regard to the matter of veto power brought up by the distinguished Senator from Virginia, let me call the attention of the Senate to the fact that the original draft, on line 11, page 4, provided:

That these funds shall be expended on a system of such roads selected by the State highway departments in cooperation with the county supervisors, county commissioners, or other appropriate road officials, subject to the approval of the Commissioner of Public Roads.

The committee not wanting that power to be lodged in the Commissioner of Public Roads in the case of secondary roads struck out the words "subject to the approval of the Commissioner of Public Roads."

Mr. HAYDEN. And made it a cooperative arrangement.

Mr. LANGER. Yes; it was made a cooperative enterprise.

Mr. HAYDEN. Mr. President, the next item—

Mr. REED. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. REED. While the Senator from Virginia was on his feet I wanted to ask him a question to clear up in my mind a statement he made about the State of Virginia. I understood the Senator from Virginia to say that in the Virginia primary system there were some 10,000 miles of roads. May I inquire of the Senator from Virginia if he meant by that Federal-aid roads?

Mr. BYRD. No; only a small part of them are Federal-aid roads. I was speaking of what we classify as the primary system which are the main roads of the State. Only a small part of them are designated as Federal highways.

Mr. REED. According to a statement I have in my hand, the Federal-aid highway mileage in Virginia is 4,640.

Mr. BYRD. I was speaking of the State system of primary roads.

Mr. REED. If the Senator from Arizona will yield for a moment further, I wish to express my complete concurrence with the Senator from Arizona and the Senator from Tennessee in their position that when we appropriate money from the Federal Treasury certainly the Federal Government must exercise some supervision over its expenditure. Any other policy would be unthinkable unsound.

Mr. LANGER. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. LANGER. Is it not true, so far as the veto power is concerned, the power which it is claimed the Commissioner of Public Roads has, that under the provision between lines 12 and 16 on page 4 the county supervisor has a veto power and the county commissioners have a veto power and other appropriate road officials have a veto power just as great as that of the Commissioner of Public Roads?

Mr. HAYDEN. Of course, he cannot force anything they do not want.

Mr. BYRD. The difference is the Commissioner of Public Roads can withhold the funds; that is where the power lies. The local people cannot withhold anything. They may disagree, and not get any allotment at all if there is a difference between the two.

Mr. HAYDEN. The Senator would not take that Federal authority away, would he?

Mr. BYRD. If there is a difference between the two the Federal authorities prevail.

Mr. HAYDEN. The Federal authorities approve a project. That is the way it has been done heretofore.

Mr. BYRD. And so the Government controls.

Mr. HAYDEN. No; I do not think so.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BUSHFIELD. Before we leave this subject, I want to express complete concurrence with the Senator from Virginia. My conviction comes from personal experience of 4 years in dealing with the Bureau of Federal Roads as Governor of my State. When the Senator from Tennessee says that the road-building program will be worked out satisfactorily, it will be worked out satisfactorily if the State highway commission and the State absolutely agree to what the Federal Bureau of Roads and its engineers tell them. That is the only way it will be worked out. It is all right for the Senator from Arizona to smile, but I am talking from personal experience. I know what the conditions are in my State. We have not used any of the secondary road money in our State simply because we will not and cannot build the type of road the Federal engineers demand. That was the point the Senator from Virginia was making. We want to use the money for farm-to-market roads so that some benefit may be derived from it by the farmers as well as by the tourists who travel through the States. If the bill is put in such a form that we cannot comply with it, we will not get the money.

I have offered an amendment to permit the State highway departments of the various States to determine the plans and specifications for secondary roads. The committee disagreed. I think they have made a mistake in that respect.

So far as the statement of the Senator from Kansas about supervision is concerned, the amendment does not provide for supervision of the money; but the State highway commissions in the various States are a high-type body of men, who have built a wonderful system of roads in this country, and I ask only that they have the power to design the specifications and blueprints for roads which will suit the needs of each particular State and not the views of those who make the decision in Washington.

Mr. HAYDEN. Mr. President, the next principal change made by the committee appears on page 5. As the bill was reported originally it provided that money for Federal aid for secondary roads should be apportioned in accordance with the provisions of section 21 of the Federal Highway Act; that is, one-third according to the area of the State, one-third according to the population of the State, and one-third according to the mileage of post roads.

The junior Senator from Tennessee [Mr. STEWART] suggested that the proper basis on which to apportion the money was one-third on the area of the States, one-third on the mileage of post roads, and one-third on the ratio the rural population of the State bears to the rural population of the United States. So Senators will see that the amendment provides for that.

The \$125,000,000 per year available for projects on the secondary and feeder roads shall be apportioned among the States in the following manner: One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the rural population of each State bears to the total rural population of all the States, as shown by the Federal census of 1940; and one-third in the ratio which the

mileage of rural delivery and star routes in each State bears to the total mileage of rural delivery and star routes in all the States.

The argument for that was persuasive, too, because we have taken an equal sum of money, \$125,000,000, and apportioned it among the States according to the population of cities and towns of 5,000 and more. So we emphasize in the authorization for the appropriation, which goes to the cities, that the population of the cities is the sole factor. In the case where the money is to be expended on highways utilized by the rural population, mileage facilities are the principal factor.

Mr. STEWART. Mr. President—  
The PRESIDING OFFICER (Mr. JACKSON in the chair). Does the Senator from Arizona yield to the Senator from Tennessee?

Mr. HAYDEN. I yield.

Mr. STEWART. The Senator was discussing paragraph (b)?

Mr. HAYDEN. Yes; which is based upon an amendment which the Senator himself offered.

Mr. STEWART. That is the same wording, I believe, found in the amendment I intended to propose, and as I understand, the committee has accepted the amendment.

Mr. HAYDEN. We recommend the provision to the Senate.

Mr. STEWART. In order that I may understand the situation, in the reprint the matter printed in italics is new matter?

Mr. HAYDEN. I have obtained unanimous consent that when I conclude my discussion in general, the bill shall be read for amendment, and we will take up the amendments in their order as they appear in the bill. The one to which the Senator refers will be reached in due course.

Mr. STEWART. Let me propound a parliamentary inquiry. It will not now be necessary for me to offer this amendment, in the light of the statement the Senator has made?

Mr. HAYDEN. Not at all. This amendment comes recommended by the committee as a committee amendment.

Mr. STEWART. As a part of the bill itself?

Mr. HAYDEN. When adopted by the Senate.

Mr. STEWART. If and when adopted, of course. I think the formula is quite correct. The urban money is being spent on urban population basis and distributed among the towns of over 5,000 population. Therefore it should not be unfair to distribute money to be spent on rural roads under a formula based upon rural population. Of course, this would increase the amount going to strictly rural States, but, on the other hand, the cities get all the money from the urban funds. It is about balanced. I thank the Senator and the other members of the committee for accepting my amendment.

Mr. HAYDEN. The Senator made a very persuasive argument, which impressed the committee.

Mr. President, the next amendment of serious importance is on page 6, an amendment suggested by the junior Sen-

ator from Virginia [Mr. BYRD], wherein he proposes to strike out the figures "60" and insert "50." In other words, he would provide that "the Federal share payable on account of any project provided for by the funds made available by this act shall not exceed 50 percent of the construction cost thereof."

Mr. BYRD. That is existing law.

Mr. HAYDEN. That is the existing law.

Mr. BYRD. It is in harmony with all the other Federal grants.

Mr. HAYDEN. The committee recommends that the amendment proposed by the Senator from Virginia be agreed to.

Mr. LANGER. Will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. LANGER. What is to become of the States which simply cannot match?

Mr. HAYDEN. The problem is partly met by the recommendation of the amount in the bill. If they had to match \$650,000,000, it would be harder than if they had to match \$450,000,000, and the 50-50 arrangement makes it easier for them to go as far as they can. I admit it is going to be a hardship on some States, but all the States can do is to go as far as they can. Just as I indicated to the Senator from Delaware, if a State runs out of money, it cannot any longer match.

Mr. LANGER. I thought it was understood the other day at the committee meeting that it would be left at 60-40.

Mr. HAYDEN. It was, but the committee reversed itself after considering the amendment offered by the Senator from Virginia [Mr. BYRD].

Mr. BURTON. Will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BURTON. Am I to understand that the amendment suggested by the Senator from Virginia will apply to all 3 years?

Mr. HAYDEN. Oh, yes.

Mr. BURTON. The bill which was passed by the House made it 60-40 for the first year, but this will apply for all 3 years?

Mr. HAYDEN. Yes. On page 7 of the bill there are two provisions to which I think I should direct attention.

Mr. WHERRY. Is the Senator about to proceed to page 7?

Mr. HAYDEN. Yes.

Mr. WHERRY. Does that relate to the restrictions on the amendment just referred to?

Mr. HAYDEN. No; it relates to railway-grade crossings.

Mr. WHERRY. I beg pardon.

Mr. HAYDEN. The junior Senator from Georgia [Mr. RUSSELL] exercised a very persuasive influence on the committee, and in several places in the bill the committee recommended striking out any reference to the acquisition of rights-of-way. That is why the language from line 10 to line 16 on page 7 is stricken out. It is to eliminate the words "except that not more than 50 percent of the right-of-way and property damage costs," and so forth. We reinserted that language, leaving out the right-of-way provision.

Then there is a proviso at the end of the paragraph, for which I think the

Senator from Georgia will also take some responsibility, namely, "That no Federal funds shall be expended on any such project unless the railway or railways involved pay not less than 15 percent of the construction cost of such project."

During the depression, when we had two objects in mind, one to prevent the terrific loss of life occurring throughout the United States at railroad-grade crossings, the other to provide work for the unemployed, knowing that the railroads were in very poor financial condition, we provided for a 50-percent Federal contribution. In the judgment of the committee, the railroads should be required to pay 15 percent of the cost.

Mr. RUSSELL. Mr. President, I appreciate the Senator's reference to me. I wish I could have been more persuasive in the committee in regard to some other amendments.

I merely wish to say that up until recent years the railroads were required to pay 50 percent of the cost of the elimination of the crossings. I think they should pay as much as 25 percent now. However, the provision for 15 percent does require some contribution on the part of the railroads, which benefit tremendously from the elimination of the crossings.

Mr. HAYDEN. The railroads benefit and lose. It works both ways.

Mr. REED. Mr. President, I am sure the Senator from Georgia meant to say that there was no Federal provision requiring participation by the railroads. Different laws existed in different States, and generally the States required a 50-percent contribution from the railroads when a grade-crossing separation was to be made.

Mr. RUSSELL. No; the first bill, as I recall, that we passed, specifically providing for elimination of grade crossings, was either in 1933 or 1934, and it required a 50-percent participation by the railroads. The railroads were unable to participate at that time, and the funds were not expended until after the law was changed and we provided for the Federal Government bearing all the cost of the construction. That change occurred just after a very tragic accident which took place near Washington, when a school bus was struck by a train and some 15 or 20 school children were killed. The bill came before the Senate just following that terrible accident, and the law was changed to permit the Government to pay all the cost.

Mr. REED. If my understanding was in error I am glad to have it corrected.

Mr. BYRD. What is the present contribution made by the railroads in grade-crossing elimination?

Mr. HAYDEN. The present contribution by the railroads is very small. We have been eliminating grade crossings entirely at the expense of the United States. The cost, except for rights-of-way, has been borne by the United States.

Mr. BYRD. That is not true in my State. I think the railroads there have been bearing 50 percent of the cost of elimination of grade crossings.

Mr. HAYDEN. The State can require such a contribution.



Mr. BYRD. Does the proposal in the committee amendment make a change in the amount the railroads were previously paying?

Mr. HAYDEN. The situation as it has existed up to now is that the railroads were not paying anything. The provision contained in the committee amendment is that the railroads shall pay at least 15 percent of the cost of elimination of railway crossings.

Mr. McCLELLAN. Some State laws require railroads to make contribution.

Mr. HAYDEN. Yes; some State laws require them to make contribution, but if they do not make contribution nothing can be done.

Mr. BYRD. The State can compel the railroads to put up 50 percent of the cost of such grade-crossing elimination as the bill proposes.

Mr. HAYDEN. I do not say that the States cannot require such payment.

Mr. RUSSELL. This would not affect the State law. The provision merely requires that no Federal funds shall be expended on any such project unless the railway pays not less than 15 percent of the cost.

Mr. BYRD. Should not that particular point be made more clear?

Mr. HAYDEN. We have had no difficulty about it, so far as I know. The proposal in the amendment was simply to do two things: One that the Federal Government would not expend anything for rights-of-way, as it was proposed that the railroad or the State would have to furnish the right-of-way, and the other that the railroad would have to contribute at least 15 percent to the cost of elimination of railway-grade crossings. It works both ways. The railroad undoubtedly gains an advantage in eliminating a grade crossing, because in proceeding through the towns its trains can go at greater speed. That is an asset to it. But in many instances it was shown to the committee that where the tracks are elevated and the railroad has been put to considerable expense, the total cost is added to the taxable value of the railroad property, and the city and the State proceed to tax the railroad for the improvement that was made. Also, if it is handled that way, it enters into the amount of the capital investment of the road for rate-making purposes. So it is not all a one-sided affair. The bill as it is represents the best compromise the committee could make, and it recommends it to the Senate.

Mr. BYRD. The Senator does not think the adoption of the provision would prevent a State from requiring a 50-percent contribution?

Mr. HAYDEN. No.

Mr. BURTON. Under the bill as first introduced it was provided that the Federal Government might pay up to 50 percent of the cost of rights-of-way and under the amendment it would pay nothing for rights-of-way.

Mr. HAYDEN. Yes.

Mr. BURTON. And under the terms of the bill as originally introduced the Government would pay 100 percent of the construction costs exclusive of rights-of-way, and under the amendment the Government would pay not

more than 85 percent of such construction cost.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LANGER. In view of what the distinguished Senator from Arizona [Mr. HAYDEN] said in response to the Senator from Virginia [Mr. BYRD] what is the objection to placing at the end of line 23 on page 7 the following language:

*Provided further, That nothing herein shall prevent any State from requiring a railroad to contribute 50 percent?*

Mr. HAYDEN. The difficulty, as was explained by the Senator from Kansas [Mr. REED] to the committee, is that when this 50-percent construction charge was imposed against the railroads generally throughout the States, the hazard to life was not eliminated, because the railroad companies argued that actually the benefit is more to the public than it is to the railroads. The railroads were there first. Then we have come along and built a highway system, and then people have bought millions of automobiles, and many of those who are killed ride in automobiles. I would not want to place anything in the bill which would impede the action we desire. I think the important thing is to remove the hazard to life at grade crossings. Getting money out of the railroads is not the important thing.

Mr. REED. Mr. President, I agree entirely with the Senator from Arizona. I come from a State which has the fourth largest highway mileage in the United States, and which has a very large railroad mileage. Kansas had a law which required 50-percent participation by the railroads whenever a grade crossing was separated, and as a result we did not obtain any separation of grade crossings. We did eliminate a great many grade crossings, but we did it as we built new roads, and straightened out the angles and built the roads as far from the railroads as possible.

The question here is to get as much grade separation as we can. That benefits the railroads to some extent, but the benefit to the railroads is rather slight. It results mostly in reduction of personal damage cases arising from highway-crossing accidents. The principal benefit accrues to the public safety. The question arises, How much grade separation do we want, and how much can we obtain? I may say, as the Senator from Arizona is well aware, that 15 percent was selected by the committee as the highest percentage of participation that we could hope to obtain from the railroads and still have grade-crossing separations.

Mr. HAYDEN. I understood the Senator from Kansas to say before the committee that the State of Kansas repealed the law which required a 50-percent contribution on the part of the railroads.

Mr. REED. At least that provision of law is a dead letter. I would not say that the State law has been repealed. I was Governor of Kansas when the present State-highway program was inaugurated, and we worked earnestly to bring about

grade separation, but so long as 50-percent participation was required on the part of the railroads—and in most cases the railroads could show us that they had a very slight interest in the matter—no separation resulted. The Senator will remember that we set 15 percent as the highest figure at which we could get participation and still obtain grade separation. I am more interested in grade separation than almost anything else.

Mr. LANGER. That is all interesting, but what about underpasses in towns and cities, for which the State government is asked to pay or for which the local governments are asked to pay?

Mr. REED. They fall in the same category.

Mr. LANGER. They fall in the same category, and millions of dollars are taken from State and local governments to pay for such underpasses. Why should not the States have the right to say, "We are going to ask the railroads to contribute?" The Senator from Arizona said a moment ago that the States can call on the railroads to contribute. Why not include such a provision in the proposed law.

Mr. HAYDEN. I do not want to encourage the States to stick the railroads, because I think it is more important to quit killing people than it is to get money out of the railroads. Perhaps it is not, but that is my judgment. There has been great butchery, the killing of men, women, and children on highways. In the last 20 years 500,000 people have been killed on our highways. We were killing more of our citizens on our roads every day, up to the present great offensive in France, than were killed in our armed forces all over the world. But we did not seem to think of the great loss of life on the highways. Life is just as sweet to a man or to a woman or to a child who is killed on the highway as it is to a man fighting on the battle front. Yet we seem to think nothing of it. This butchery which has gone on should be stopped, and the way to stop it is to get together and do a good job of railroad-crossing elimination, rather than to say "We will never do it unless we can stick the railroads and make them pay for it" when they will not pay for it.

Mr. LANGER. Mr. President, the language I propose does not stick the railroads. I am just as interested as is the distinguished Senator from Arizona in saving human life, but in response to a question asked him by the Senator from Virginia, the Senator from Arizona stated that a State could require contribution on the part of the railroads.

Mr. HAYDEN. It can.

Mr. LANGER. Then, why not make provision therefor in the pending legislation?

Mr. HAYDEN. It is not necessary to give the State permission in this measure. We have had no trouble about it heretofore. I do not wish to encumber the bill any more than necessary. In my judgment, such a provision is wholly unnecessary. We could not give the State authority which it does not already have in this respect.

The next amendment, Senators will notice, on pages 7, 8, and 9, is of considerable length. It relates to the inability of States to match Federal aid under certain conditions. It was sponsored by the junior Senator from Arkansas [Mr. McCLELLAN], who will undoubtedly be glad to explain it when it comes up for consideration.

Mr. REED. Mr. President, I am sure the Senator from Arizona will be interested in knowing that the Senator from Michigan [Mr. FERGUSON] and I also desire to utter a few words with respect to the amendment.

Mr. HAYDEN. I have no doubt that the matter will be subject for discussion.

In section 11, on page 12, there was a question with respect to flight strips, and at the suggestion of the chairman of the committee, the Senator from Tennessee [Mr. McKELLAR], we provided that no flight strip should be developed until after approval of the location by the Civil Aeronautics Authority, so as to have proper coordination in such cases.

Then, at the very last of the bill, in section 12, there is a provision which everyone agrees is highly desirable for uniformity in highway-marking signs throughout the United States.

The junior Senator from Massachusetts [Mr. WEEKS], being a careful legislator, thought that we had gone too far, and so an amendment was inserted to provide that on highways and streets hereafter constructed under the Federal-aid system the form and character of informational, regulatory, and warning signs, curb and pavement or other markings, and traffic signals shall be subject to a standard code approved by the State highway department and the Commissioner of Public Roads.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BYRD. I have received several letters with reference to a 100-foot right-of-way. Is there any such provision in the bill?

Mr. HAYDEN. The acquisition of rights-of-way is a matter for the State highway department. I think what the Senator has in mind is that in some places the State highway department is trying to obtain additional right-of-way. Under existing law, the State acquires the right-of-way. We have eliminated from the bill the provision for Federal participation in payment for rights-of-way.

Mr. BYRD. As I understand, there is no requirement for it?

Mr. HAYDEN. No; there is no requirement for it.

Mr. President, I believe that covers the principal items in the bill.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ANDREWS. Am I to understand that the State highway commissions in the various States will still provide the rights-of-way?

Mr. HAYDEN. Oh, yes.

Mr. ANDREWS. Of whatever width they may deem proper?

Mr. HAYDEN. They will have to obtain whatever they think is needed.

That is a matter which the Congress does not dictate. There is no requirement that there must be a 50-foot, 60-foot, 100-foot, or 200-foot right-of-way.

Mr. ANDREWS. Rights-of-way as wide as 200 or 300 feet have been mentioned. Suppose the National Association of Road Commissioners should lay down a rule that the right-of-way should be 200 feet wide?

Mr. HAYDEN. With respect to rights-of-way, the only interest of the Public Roads Administration is in having some control along each side where so-called free-ways are being built. Such roads are built with the object of permitting greater speed between cities. Unlimited access to such roads cannot be permitted. There must be limited access. In order that there may be limited access, the sides of the road for some distance must be controlled. Aside from the question of limited access to so-called free-ways, I have heard no discussion with respect to the width of rights-of-way.

Mr. ANDREWS. For example, if a 200-foot right-of-way were prescribed through my State for national-aid roads, I do not know how many millions of dollars it would cost, because the orange groves were there before the roads were built, and many millions of dollars' worth of property would be destroyed, even by a 100-foot right-of-way.

Mr. HAYDEN. I can conceive of no substantial reason for anything of the kind, unless a road were being widened. For example, it might be desired to make a four-lane highway out of a two-lane highway, and it might be necessary to cut down some orange trees.

Mr. ANDREWS. Would that be in the discretion of the State highway commission?

Mr. HAYDEN. Certainly. They initiate all such projects under the Highway Act.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LANGER. I notice that the junior Senator from South Dakota [Mr. BUSHFIELD] is not at the moment present in the Chamber. I wonder whether the Senator in charge of the bill would have any objection to letting the amendment of the junior Senator from South Dakota go to conference.

Mr. HAYDEN. It cannot be considered at the moment, under the unanimous-consent agreement that we first consider the committee amendments. We must first dispose of them. Then the Senator will have an opportunity to offer the amendment. As a matter of principle, I hesitate to say that we should not have some control over the manner in which Federal funds are to be expended.

Mr. LANGER. After all, the States are putting up half of the money, under the 50-50 rule. So far as secondary roads are concerned, would it not be possible to adopt an amendment under which the Federal Government would have no control, and let the amendment go to conference?

Mr. HAYDEN. It is a question of principle. Shall the Congress appropriate money for an undertaking, and have nothing to say about the type of undertaking? As the Senator knows, the bill provides for cooperation between the county and State governments and the Federal Government. They must get together.

I should like to point out another feature in connection with the secondary-road proposal. Heretofore we have appropriated comparatively little for such roads. In 1937 or 1938 we started with \$25,000,000. We have spent only a little more than \$150,000,000 in the years since. That is only a little dab of money. We are now proposing to spend a substantial sum of money in each State; and it is only common sense to expect, when we provide in the bill that the county commissioners, the State highway commissioners, and the Bureau of Public Roads shall cooperate, that they will find some method of agreement, and will cooperate, as provided in the bill. Heretofore we have had only a little money for secondary roads, which did not begin or end anywhere in particular. We said, "We will use the standard specifications." This is a different picture, because we are approaching the problem from a different angle. I believe that the various agencies will cooperate.

Mr. LANGER. The State highway commissioners are very familiar with their State. They may spend the money in the eastern part of the State, whereas in the western part of the State there may be a road 3 miles long which the farmers could use, except for one short stretch. I certainly dislike to see a standard set-up which would require the whole 3 miles to be graded and constructed according to certain specifications, when perhaps there is only one hole in the 3-mile stretch which needs to be repaired, so that farmers could use the road to get their grain to market.

Mr. HAYDEN. It is simply a question of give and take, and common sense. If the various agencies cooperate, I believe that the problem can be solved.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HAYDEN. Certainly.

Mr. FERGUSON. As I understand, the first amendment involves the question of including the costs of rights-of-way in the amount of money to be appropriated by the Federal Government.

I appreciate the argument made by some, that if the Federal Government is required to pay a part of the costs of rights-of-way, juries in condemnation proceedings will be found awarding larger prices because the Federal Government is appropriating the money. I realize also that there is a feeling that so long as the Federal Government is paying the money, the individual does not have to pay it. He feels that it is a Federal tax, and he does not feel that he is paying it directly.

However, I believe that we, as Members of the Senate, should understand that so far as the bill relates to the appropriation for urban areas, to the extent of \$125,000,000 a year, this plan will not work. In other words, the cost of con-



demning land for widening a highway is so great in relation to the cost of construction of the highway itself, that instead of the State paying one-half the cost, as suggested by the Senator from Virginia [Mr. BYRD], we shall find that the State will be paying 80 percent of the cost, and the Federal Government 20 percent of the actual cost of the highway, because the cost of condemning the land for widening the highway, aside from the actual cost of laying the highway, will be so great that the States will not be able to use effectively the \$125,000,000 a year.

As I understand, it is proposed to appropriate this money now because it is essential for the future of our country that roads be widened, not only in the rural sections, but also in the urban sections. If we are doing it for that reason, then, at least in the urban centers, we should pay one-half the cost of the condemnation of land, as well as one-half the cost of construction of the roads.

I believe that in the past too little attention has been paid to the urban centers on Federal-aid highways. At first it was proposed to appropriate \$650,000,000 a year for Federal aid in the construction of highways. We must not forget that the people of this country were paying directly, in gasoline taxes and other taxes in connection with the operation of automobiles, \$650,000,000 a year. In 15 States there are constitutional provisions prohibiting the States from diverting to any other purpose than the building of roads any of the funds raised by taxation of automobile operators. We in the Senate propose that the Federal Government raise \$650,000,000 a year from the automobile owners of this country. I think that is too much.

I have felt that the use tax, for instance, is one which should not have been placed. There are farmers, workingmen, and other persons in the country who own automobiles which are worth not much in excess of \$25 or \$30, but they are compelled to pay \$5 a year for the privilege of using those cars. They pay just as much as is paid by a man who owns a high-priced car. But let us say that may be justified because there is an emergency at the present time.

If we are going to use \$125,000,000 a year for roads in urban areas—and I know we are appropriating it for that exact purpose—we should not provide that it cannot be used by the States in their urban districts. We should think twice before we vote to eliminate the provision for the Federal Government to share in the cost of acquiring rights-of-way for highways, because, after all, one of the defects in the entire highway system is that we have not paid enough attention to limited access roads and to the widening of roads, so as to be able to care for the traffic in the years to come.

So, Mr. President, the Senate should reject the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, line 4.

Mr. RUSSELL. Mr. President, I wish to say a few words on the amendment. I think it would be a very unwise precedent

for the Government to set, if we were now to change our policies with respect to highway construction, by contributing and appropriating Federal funds for the acquisition of rights-of-way. It would set a precedent which would necessarily have to apply in a number of other cases, and would result in unnecessary outlays from the Federal Treasury.

We have been consistent in one thing in all of our highway and State aid legislation, in that from the very beginning we have required either the city, the county, or the State to provide the rights-of-way or the land which was to be used for any construction purpose. We have done that in connection with our highway system. Even in the very depths of the depression, when we were appropriating huge sums of money for public-works programs, all the bills carried provisions that the rights-of-way had to be provided by the counties or other political subdivisions benefiting from the appropriations.

In connection with the construction of airfields throughout the country we have adhered strictly to the policy that the local government—the city or the county government—is required to provide the lands in connection with which the funds for such fields are to be expended. It would be very dangerous to depart from that principle at this time.

The cities have had no such requirement, because heretofore the cities have not benefited directly from any appropriation for public roads or streets. For the first time we are now asked to appropriate \$125,000,000 to be expended for the benefit of the cities, within the cities, on the city streets. Mr. President, I think the cities should be willing to provide the rights-of-way, just as the counties have done in the past, just as the counties have done in connection with airfields, and just as the cities have been required to do before, in connection with the expenditure of public funds for State and county highways through the cities.

There are very sound reasons for that policy. The argument is made that the cities receive tremendous benefit from the expenditure of funds obtained from the taxes on gasoline. We all know that in the past 15 or 20 years when we have had these huge Federal-aid road programs, when we have constructed the magnificent highway system in this country we have practically dried up all the smaller communities, those with a population of 2,000 or less, so far as conducting any business is concerned. In my State there are any number of small towns which heretofore have had populations of 800, 1,000, or 1,500, but which today are practically deserted villages, because we have constructed the highway systems, and the people prefer to trade in the larger cities. The cities have derived more benefit from the construction of the highway systems than any part of the rural population has derived.

There is another very substantial reason why we should not deviate from the policy we have always followed with respect to requiring the sponsor of the project to acquire the lands on which it is to be constructed. That is the difference in cost. There will be a tremen-

dous difference in the cost of the lands if we require that the Federal Government pay for the rights-of-way. We all know that if a city is acquiring property for a park or for any other civic project, it makes an appeal to the owners of the land. As a contribution to the welfare of the city, it requests that they ask only a very modest sum for the land. People who have that pressure brought upon them usually contribute their lands through a sense of civic pride, and sell them much more cheaply under such circumstances. In cases in which a local government is acquiring land, the land is sold much more cheaply than it is in the cases in which it is acquired by the Federal Government. In my judgment, if this provision is left in the bill, more than half of the \$125,000,000 will be used for the purchase of lands.

I submit that the Federal Government should not contribute to the purchase of lands, when, in addition, it is appropriating funds to defray the cost of construction of the city streets—something we have never done in the past. The policy was adopted after careful study, and it should not be disturbed at this date.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, line 4.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 2, line 5, after the word "crossings", to insert a comma and the words "but does not include costs of rights-of-way."

The amendment was agreed to.

The next amendment was, on page 2, line 22, to strike out "\$1,950,000,000" and insert "\$1,350,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WHERRY. Mr. President, I should like to ask a question of the distinguished senior Senator from Arizona [Mr. HAYDEN]. I wonder if he gave any consideration to the question of decreasing the amount of the appropriation of \$1,950,000,000 so that all States of the Union could match these amounts on the 50-50 basis now proposed in the committee print. I wish it to be clearly understood on the floor of the Senate that I am in favor of highways and that I wish to have the Government do everything it can do to obtain, in Nebraska, as well as all other States, the kind of highway system which is recommended as well as one the Nation can afford. There is also the question whether some States can even match their share of the \$450,000,000. It becomes a problem. What provisions will the States have to make, to provide their portion of this huge sum?

I do not desire to offer at this time an amendment proposing to decrease the amount; but I will ask the Senator again if the committee gave consideration to the amendment of the distinguished junior Senator from Virginia [Mr. BYRD], which the distinguished Senator from Arizona told me about on the floor of the Senate last Tuesday. It provided for a return to the old formula and for the

appropriation of approximately the amount we have appropriated in the years gone by.

Mr. HAYDEN. This amendment amounts to that.

Mr. WHERRY. I wish to call the Senator's attention to the fact that the proposed new basis of 60-40 presented a considerable problem to the State of Nebraska. Now, on the old 50-50 basis, it will be exceedingly difficult for our State to match so large an amount as its share will be under the proposed budget.

Mr. HAYDEN. Under the allotment, Nebraska has to match \$7,404,000 today. I dare say the income of the State of Nebraska received from its gasoline taxes is nearly twice as much as that. Is that correct?

Mr. WHERRY. I have the figures for the total receipts from the gasoline tax in 1941, which was the peak year. We do not have available the best figures to use in order to arrive at the answer in the years to come.

Mr. HAYDEN. Of course, we know that with gasoline rationing and tire rationing those tax receipts have fallen off.

Mr. WHERRY. That is correct.

Mr. HAYDEN. But these bills have to be paid after the war. When the war is over, and when there no longer is tire rationing and gasoline rationing, the gasoline-tax income is bound to increase.

Let me inquire what the gasoline tax revenue of the State of Nebraska has been.

Mr. WHERRY. In 1941, which was our banner year of the receipts of all years, we received \$12,396,000.

Mr. HAYDEN. Out of that \$12,000,000, does not the Senator believe his State could match \$7,000,000?

Mr. WHERRY. For the information of the distinguished senior Senator from Arizona, that is why I asked whether the committee considered a lower figure. I do not want Nebraska to have to raise its tax on gasoline—which is now 5 cents a gallon—in order to be able to match the appropriation.

Mr. REED. Mr. President, will the Senator yield?

Mr. WHERRY. I will yield to the distinguished Senator from Kansas, and will later answer the question of the Senator from Arizona.

Mr. REED. I inquire of the distinguished Senator from Nebraska if the State of Nebraska did not divert \$2,455,000 in 1941 from taxes on highway users in order to pay old-age pensions, or something of that nature. I do not wish to be misunderstood. What the State of Nebraska does with its money is its own business, but I do not think that it is very consistent to raise a question concerning the size of an appropriation for highway purposes, and the inability of a State to match, when that State diverts a part of the highway users' tax for other purposes.

Mr. WHERRY. Mr. President, I thank the able Senator from Kansas for his remarks. We have personally discussed the subject, and I believe we decided that possibly there was involved a question of diversion. The State of Nebraska did divert money out of its gaso-

line tax fund in order to pay expenses not connected with roads. But regardless of that, we still have the problem of matching the proposed appropriation. No one knows in what financial condition the States will be in 1945. In our State we have a constitutional provision which I think is a good one, that the credit of the State cannot be pledged without a vote of the people. We have no sales tax. We have no State income tax, and we are proud of the fact that we do not have such a tax. We like good roads in Nebraska, and we want to pay for them. We believe that the users of automobiles should help pay for them but should not be required to pay more than 5 cents a gallon on gasoline.

Mr. HAYDEN. I suggest that the State of Nebraska adopt a provision which has been adopted by approximately 15 other States, insuring that receipts from the tax on the sale of gasoline shall be applied to roads.

Mr. WHERRY. Whether we should do that or not is beside the question. We are confronted with the fact that if the pending bill is passed, in 1945 we shall lack nearly a half a million dollars of being able to match under our present tax program. The second year we would lack more than \$3,000,000, and the third year we would lack nearly \$6,000,000. Those figures are on the basis of estimated receipts and testimony submitted by Mr. McDonald in hearings before the House committee.

As I have already said, I do not desire to provoke a great deal of debate or controversy with regard to the amount which has been arrived at by the committee. I am at a loss to know why the committee reduced the amount from \$650,000,000 to \$450,000,000 annually. But so long as that has been done, would it not be possible further to reduce the amount by another \$150,000,000 annually, and prorate it accordingly? Then the States could match, and it would not be necessary to make provision for the Federal Government to help any State make up the difference it was unable to pay.

Mr. HAYDEN. In the great majority of States, even with diversion, they can match the amounts provided in the bill. So far as I am concerned, I am sorry that the amount was reduced from \$650,000,000 to the present figure. I believe that we have a job to perform in improving the highways of the Nation. However, I follow what the committee did, and I stand on its recommendation. I would certainly object to further reduction of the amount.

Mr. WHERRY. Inasmuch as the Senator from Arizona has made the statement that he was sorry that the committee reduced the sum to \$450,000,000, I am convinced that probably no figure less than \$450,000,000 was considered. Am I correct?

Mr. HAYDEN. Oh, yes; the committee had under consideration a lesser amount, which was suggested by the Senator from Georgia [Mr. RUSSELL].

Mr. WHERRY. Is there any particular reason why the committee arrived at \$450,000,000? If an amendment were to be offered reducing the amount to \$300,000,000, would it so affect the dis-

tribution of funds as to be mechanically unworkable?

Mr. HAYDEN. The ratio of distribution is exactly the same whether \$50,000,000 be appropriated or \$10,000,000. The State highway departments, through their engineers, looked into the problem and told us that there was a tremendous amount of work to be done, and that the only way to get it done was to establish a highway program.

So far as the diversionary problem in Nebraska is concerned, allow me to make this suggestion: If the Nebraska State Legislature next year would favorably act upon a proposal that, by proper matching, they could give to their highways the benefit of a program which would amount to twice \$750,000,000, or approximately \$1,500,000,000, I believe the State would stop diverting and could match.

Mr. WHERRY. Mr. President, I thank the Senator for his statement.

I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. In order that an amendment may be offered, must it be offered now or should it be offered later to the bill?

The PRESIDING OFFICER. If the Senator has an amendment to the committee amendment, which he desires to offer, it should be offered before the committee amendment has been acted upon.

Mr. WHERRY. Mr. President, I have an amendment which I desire to offer. On page 2, line 22, after the words "sum of", I move to strike out "\$1,350,000,000" and insert "\$900,000,000"; and on the same page, at the beginning of line 24, I move to strike out "\$450,000,000" and insert "\$300,000,000."

The PRESIDING OFFICER. The clerk will state the first amendment offered by the Senator from Nebraska.

The CHIEF CLERK. On page 2, line 22, after the words "the sum of", it is proposed to strike out, in the committee amendment, "\$1,350,000,000" and insert "\$900,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska to the committee amendment.

Mr. AIKEN. Mr. President, I should like to ask the Senator from Arizona how much money the Federal Government has appropriated for highways during the past 4 years.

Mr. HAYDEN. During the past 4 years the Government has spent practically nothing on highways.

Mr. AIKEN. Has the appropriation been as much as \$180,000,000 a year? I am going back to the period when we started to reduce our road program in getting ready for the war.

Mr. HAYDEN. We appropriated practically nothing for secondary roads. Under the act of 1934 we appropriated \$400,000,000 for Federal aid to the States, which is the largest sum of money for the purpose that was ever appropriated at any one time.

Mr. AIKEN. Was that in 1934?

Mr. HAYDEN. It was in 1933. The amount was included in the \$3,300,000,-



000 Federal-aid unemployment program. In that measure \$400,000,000 was earmarked by Congress at one time for Federal aid to highways. It was the largest sum ever appropriated at any one time for Federal aid only.

In the pending bill there are two new elements. There is the element of secondary roads in addition to the element of Federal aid in connection with urban highways. What makes the total proposed to be expended under this bill look so large is that we are proposing to help the cities. At one time in 1933 we apportioned to the States \$400,000,000. Considering that fact, the bill would not seem to be out of line at all.

Mr. AIKEN. In 1940 and 1941 we appropriated how much?

Mr. HAYDEN. Normally we ran along with Federal aid of approximately \$125,000,000 a year.

Mr. AIKEN. What I should like to know is how much we are behind in a normal highway program by reason of the suspension of our expenditures over a 3 or 4 year period.

Mr. HAYDEN. I understand what the Senator means.

Mr. AIKEN. How much have we got to make up to bring us back to where we were in 1940 or 1941? Of course, we should make some allowance for the expansion of our national economy, unless we are willing to admit that we stopped our national growth in 1940.

Mr. HAYDEN. The last appropriation we made was for 1942-43 of \$100,000,000 a year for Federal aid only.

Mr. AIKEN. Was that all spent?

Mr. HAYDEN. No; it has not all been spent because we could not get the priorities, the manpower, the labor, and so forth. Some of that money remains in practically every one of the States.

Mr. AIKEN. If we should appropriate \$600,000,000 for Federal aid during the next 3 years, that would not quite catch up, would it, to what we have fallen behind, plus the appropriations which would normally be made for the next 3 years had there been no war?

Mr. HAYDEN. That is true. We are very much behind in Federal aid because nothing has been done about it since 1940, and we have gone 4 years during the war period without additional authorizations.

Mr. AIKEN. Actually, then, the proposal of the committee is not an extravagant program, but is simply designed to catch up in what we have fallen behind and to make allowance for the normal program which would ordinarily have proceeded if there had been no war.

Mr. HAYDEN. That is correct.

Mr. REED. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. REED. I hold in my hand a letter from the Public Roads Administration which says that for access roads—and I am sure the Senator from Arizona is familiar with them—the amount of \$150,000,000 in 1941 was increased to \$260,000,000 in 1942 and to \$290,000,000 by the end of April 1944. That money was all spent on access roads leading to plants or to the places where strategic materials were located. There has been

virtually nothing spent—virtually, I do not say literally, but virtually nothing spent—on the Federal highway system for 3 years.

The committee that drafted this bill and submitted it to the Senate started a year ago last spring to confer with the State highway officials, whose unanimous recommendation to us was that to catch up with the deferred construction and deferred maintenance—for our highway system has definitely deteriorated in the last 3 years—we should appropriate a billion dollars a year for 3 years. The first bill written cut that to \$500,000,000 annually, because the States could not match a billion dollars a year, and there was no use making the effort.

I did not happen to be in the city at the time this bill was first considered, but I am familiar with its philosophy. \$650,000,000 was originally selected because the Government of the United States has collected from highway users during the last 3 years an average of about \$650,000,000. In my State, and in 14 other States, there is a constitutional restriction under which money collected from highway users must be used for no other purpose than highways. There is no reason in the world why the Federal Government should be allowed to go into Kansas and collect money from the highway users and divert that money to a use which the State of Kansas does not permit on the part of its own citizens or its own government. That is where the \$650,000,000 came from. The Government of the United States has for the last 3 years collected about \$2,000,000,000—that is only an estimate, but it is in the neighborhood of being correct—and in the last 3 years has returned to the highway systems of the country less than \$300,000,000.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. REED. In a moment I shall be glad to yield to the Senator from New Hampshire.

There is much misapprehension and some unreasonable criticism about the bill.

Now I may say to the Senator from Nebraska that I hope he did not mean to intimate that I have taken advantage of personal conversation. I hold in my hand a document which I have used all through this controversy, which shows that the State of Nebraska diverted from its highway users' tax money \$2,455,000 for other purposes. That is its own business.

I may say further to the Senator from Nebraska it is hardly reasonable for a State that diverts money out of its highway users' fund for highway purposes to other purposes to come here and ask to have lowered an appropriation authorization which other States can and want to match because his own State diverts the money and cannot match what is proposed to be appropriated by this bill. His State does not have to match it; there is no damage done. This is a permissive authority in Nebraska to build roads to the extent that the State can match the funds authorized under the bill.

Mr. WHERRY. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. REED. In a moment I shall be very happy to yield. Let me say frankly we have 3 years of deferred maintenance and 3 years of deferred construction, with no construction except on strategic highways and strategic networks and Government access roads. The highway system of the country is the most important thing there is. It is inadequate to carry the present traffic and will be much more inadequate to carry the traffic that is bound to travel the highways after the war.

Some have criticized us because I have been voting billions of dollars a year, but I have found no substantial sentiment expressed in the country in opposition to the bill as was first proposed. If the Senator from Nebraska wants to know, I am the member of the committee that made the suggestion that the amount be reduced from \$650,000,000 to a smaller sum; and, if the Senator from Nebraska wants to know, I am trying to get this bill through the Senate and to meet the objections as can best be done without destroying the useful purposes of the bill. We reduced the amount to \$450,000,000, which was as low as those who wanted more money were willing to go. I was willing to go that far. That is where the \$450,000,000 comes in. I now yield first to the Senator from New Hampshire, although I do not think I have the floor.

Mr. HAYDEN. Yes; the Senator has the floor.

Mr. BRIDGES. Madam President, I should like to make two comments. First, I agree with what the Senator from Kansas has had to say about the Federal Government collecting funds, we will say, from highway users and diverting the money for other purposes. I agree with him that in the field of automobile taxes, so far as gasoline and other taxes are concerned, they should be limited to State use; but if I may tell the distinguished Senator so, the way to correct that is to change the tax laws fundamentally and not attempt to appropriate more money to catch up with the lag.

Secondly, in relation to the question raised by the distinguished Senator from Vermont [Mr. AIKEN], who took the position that we had been failing to appropriate money to catch up with our highway program, I should like to ask the distinguished Senator from Arizona whether or not there is a considerable sum already appropriated and frozen which will account for a part of the catching up process which the Senator from Vermont mentions.

Mr. HAYDEN. No; sums of money were appropriated, as the Senator from Vermont and the Senator from Kansas have said. Of the appropriations made during the war period for access roads, so as to reach camps and raw materials and things of that kind, there are no great balances left.

Mr. BRIDGES. How much of the road money is frozen?

Mr. BYRD. As of July 1st last, the amount was \$144,334,000.

Mr. BRIDGES. I suppose \$144,000,000 is a small sum to the Senator from Arizona.

Mr. HAYDEN. When we need a billion dollars' worth of work it is by comparison a very small sum.

Mr. BRIDGES. The Senator from Arizona is a big spender. He would spend every cent he could get his hands on. One hundred and forty-four million dollars perhaps to a New Englander looks like a big sum, and it may look so to the Senator from Arizona before he is through.

Mr. AIKEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kansas yield, and if so to whom?

Mr. REED. I yield to the Senator from Nebraska, if I have not lost the floor.

Mr. WHERRY. Madam President, I wish to say that I find myself in almost complete accord with the remarks of the junior Senator from Kansas relative to the need for building roads. If there is one State which wants roads, it is my own State. But that is entirely beside the question as to why I offered the amendment. I want Nebraska to be able to take advantage of matching dollars with Federal-aid money so that every dollar of Federal tax the people of Nebraska pay they can match and get the Federal funds; and they cannot do it under the pending bill. I do not want Federal taxes taken out of Nebraska if Nebraska cannot match and thus get some of the money back.

Mr. REED. Does the Senator from Nebraska expect that every State should measure its capacity to match Federal funds by the limited capacity of the one State of Nebraska?

Mr. WHERRY. If the Senator will yield further, I do not know what the other States wish to do, but representing in part Nebraska, I want to get as much money back to Nebraska as I possibly can. I want to match the appropriations so that we can get the best highway system in Nebraska we possibly can get.

Mr. REED. Then let Nebraska stop diverting her highway taxes for the payment of old-age pensions.

Mr. WHERRY. Each and every State has a right to do what it pleases with the money it collects. If the States want to divert the tax money to other purposes besides work on roads, they have a right to do it, and they are the heaviest contributors to the Federal taxes.

Madam President, have I the floor?

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. BUSHFIELD. Madam President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. BUSHFIELD. During this most interesting discussion about big spending, I have been wondering whether some of us have not forgotten that we are spending about a hundred billion dollars a year to carry on this war, and if we are to adopt the policy of now appropriating sufficient money to replace all the hundreds of things we have had to do without during the war, it seems to me

we are headed toward disaster. Because we have not kept up the highway appropriations for the last 2 or 3 years is no reason why we should now appropriate three times the usual amount we have been appropriating heretofore. I think the Senate should give serious consideration to the fact that this is no time to start out on a big spending program merely to make up what we have been missing for the last 3 years.

Mr. WHERRY. Madam President, I should like to say, further, relative to the work that is being done by the junior Senator from Kansas, that I highly appreciate it, and I want him to know—and I wish to say it in the presence of every Member of the Senate—that there is no one for whom I have a higher regard than the Senator from Kansas. I know that his State collects a great deal of revenue, and Kansas can do many things, and we are very proud that it can. In Nebraska we have a little different philosophy about spending our money. We possibly do not have the sources from which to collect taxes other States have. The \$300,000,000 is based on what we can collect in 1945, and it is all problematical what we can raise. We do not know what we can raise in 1945. In connection with the pending bill, we have to assume that Nebraska will get \$10,000,000, and no one knows whether they will get \$10,000,000 or not. For that reason I should like to recall to the Members of the Senate the remark made by the distinguished Senator from Georgia, that if \$300,000,000 is not enough after the first year, we can come to the Senate and raise the appropriation at any time we want to.

Mr. HAYDEN. The Senator must realize that the Legislature of the State of Nebraska will meet in January, and it has to be in a position to know what it can do. We cannot come in at any time we desire and raise money.

Mr. WHERRY. Nebraska would be glad to have the appropriation, I am sure, on a basis on which it could match it.

Mr. BRIDGES. Madam President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. BRIDGES. The distinguished Senator from Arizona says we cannot come in at any time we desire to and raise money. I hope that time will come, but in the 8 years I have been in the Senate I have not seen it come.

Mr. WHERRY. I should like to conclude my remarks in behalf of the amendment by stating that I certainly do not want to be in a position, as I hope the distinguished Senator from Arizona will understand, of resisting. I did not intend to resist. I want to do the best I can for my State. I should like to match the Federal dollars along with all the other States; but in Nebraska we do not have the population and do not have the revenue, and for that reason I believe that if we double the appropriation—\$300,000,000 is double what we spend in the average year on the highway system—that would be sufficient, and if more is needed, if the question of unemployment arises, I shall be willing to do everything I can to assist. I do not say we do not need it. So far as the

Federal system is concerned, it does need more money, and I would be the first to vote to give it more money. I think investment in roads is probably the soundest investment we can make, and I want good roads in Nebraska. I do not wish to be placed in the position of resisting, or as against the program, but it is the matching of dollars which makes me apprehensive of voting for more than I think my State can match. I should like to see the amendment agreed to on the basis on which it is offered.

Mr. AIKEN. Madam President, we have learned that the Federal Government has somewhat over \$100,000,000 frozen in highway funds.

Mr. BRIDGES. I thought it was \$144,000,000.

Mr. AIKEN. It is between a hundred and a hundred and fifty million. I assume that is not a great deal more than would ordinarily be found in the Federal Treasury allocated for highway purposes at this time of year. But I think that if the Senator from Arizona can give us the information, it is quite important that we know how much the 48 States have frozen in their highway funds at the present time—money ready immediately to be used in matching Federal funds.

Mr. HAYDEN. Unfortunately, I do not have the statistics from the States. All I can say to the Senator in that regard is that the bill originated in the Association of State Highway Officials. They held a hearing before the Senate Committee on Post Offices and Post Roads, and representatives appeared from the States and urged that the highway systems were being shot to pieces, and that we had to do something about the post-war program. The proposal for the legislation comes from these State highway departments, who say they can match. The committee in the House held hearings for several months. Every State in the Union put in its testimony about its ability to cooperate on a program of this kind. Their recommendation was a billion dollars a year. The House cut it to \$500,000,000.

I have not the slightest doubt in the world about the ability of the States to match the funds, especially in view of the reduction which has been made. I was satisfied they would match and could match the \$650,000,000.

The trouble has been with respect to the diversion of the funds, due largely to the fact that money was lying around for which there was no use. In one State I understood the governor, who had control of the budget, paid a bonus of \$200 to each school teacher in the State out of the highway fund, or out of the gas tax. But when we pass a bill which really provides a sound program, the States are going to match the funds.

So far as the State of Nebraska is concerned, I do not think the Senator from that State has any cause for worry whatsoever. The income of his State normally has been \$12,000,000 from the gasoline tax, and I think the Senator need not worry about his State matching whatever the Congress may provide.

Mr. AIKEN. I understand that even the smaller States have several million dollars earmarked for matching pur-



poses which they have been unable to spend in the last few years, and the total for the entire United States must be a tremendous sum. It seems to me that if the Federal Government does not appropriate a sufficient amount to put the roads of the different States in good condition, and to construct the new highways which are normally required, the States will find themselves in the position of themselves having to spend the money which they have earmarked for building roads, and will get only half as much out of it as they would if the funds were matched by Federal funds.

Mr. SHIPSTEAD. Madam President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. SHIPSTEAD. It is not necessary for me to point out to the Senator that for the past 3 or 4 years there has been very little road work done in the United States, which makes it necessary to have so much more appropriated now to catch up with what has been worn out, and to rebuild and reconstruct. We are facing a more than ordinary year, or 2 or 3 or 4 years, and the money is needed. It seems to me that when we are voting money to build roads all over the world, including the Balkan countries, we should not neglect our own roads in this country.

Mr. AIKEN. I agree absolutely with what the Senator from Minnesota has said. I know that the States have fallen behind very greatly in their construction of main roads. They have kept up the farm-to-market roads as best they could, but after the war a tremendous demand will be placed upon them. Many roads are in such condition they cannot be used for heavy traffic. In many cases access roads have been built into timber lots and many other places, roads which after the war will not be of great public benefit except to the owner of the particular property.

Mr. SHIPSTEAD. Madam President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. SHIPSTEAD. Let me remind the Senator that we spent \$150,000,000 on one road in Canada, and the road is not yet finished. Then we quibble about a few dollars to be spent on roads in the United States. I can take Senators to places in some of the agricultural sections of the United States where roads are, in many places, almost impassable. I know, for I have tried to use them.

Mr. McKELLAR. Madam President, will the Senator allow me to make a little explanation of what was done in committee?

Mr. AIKEN. I should like to have an explanation.

Mr. McKELLAR. I shall take only a moment. After the criticisms which were aimed at various parts of the bill, especially the amount of money it provided, the committee had an unusually well attended meeting. I think there were 12 or 15 members of the committee present. I do not think I ever saw a committee try harder to adjust the matter and to consider every argument that was made respecting the amount. There were several members who thought the amount carried by the bill was too large.

At one time it looked as if the committee were going to agree to \$500,000,000, as suggested by the distinguished Senator from Kansas. Later on, after considering the problem in every possible way, we agreed on \$450,000,000.

We cannot frame a bill which is exactly what each Senator wants. We have to give and take, especially in a case of this kind. After the matter has been considered in the Senate for a day or two, and after the committee has considered it and gone over it in a painstaking way, and reached an adjustment and compromise which cut the amount down \$200,000,000, or nearly one-third, about 30 percent, it seems to me it would be best to accept the committee's action. I earnestly hope the Senate will not disagree concerning this matter, but will allow the amount to remain as it is.

Madam President, I have had quite a long experience in the matter of roads. Practically all my legislative life in the Senate has been spent on the committee which deals with the question of roads, the Committee on Post Offices and Post Roads. As I stated the other day, I was one of the authors of the original roads bill. I sincerely hope we may not disagree at this time over passing this very necessary bill. Senators who thought the amount was too large have cut it down one-third. I do not think it ought to be cut any more. I think that the money ought to be spent wisely, and it will be spent wisely, and I sincerely hope that Senators will agree to follow the best judgment of the committee. On the subject of the amount the committee's action was entirely unanimous. The committee first agreed to it tentatively, and then agreed to report the bill in its present form. I sincerely hope the amount reported by the committee will be allowed.

Mr. REED. Madam President, I wish to make a comment upon what the Senator from New Hampshire [Mr. BRIDGES] said. If there is one point upon which the highway officers of the States have laid emphasis over and over again it is the desirability of the Congress of the United States declaring the policy it intends to follow so that the States may know exactly what they have to do and how much they have to match. They have urged us over and over and over again that whatever we do we should do it early enough for them to know and for the State legislatures which meet only once in two years to know what they must do.

It is easy to be a critic. Sometimes the critic seems to fall into the category of a carping critic who criticizes for the sake of criticism. Here is a case where we are asking for prompt action at the request of the State highway officials themselves. That is the principal reason why we are urging expedition in consideration of the proposed legislation.

The PRESIDING OFFICER (Mr. JACKSON in the chair). The question is on agreeing to the amendment of the Senator from Nebraska [Mr. WHERRY] to the committee amendment, on page 2, line 22, which has already been stated.

Mr. AIKEN. Mr. President, does the amendment of the Senator from Nebraska propose to reduce the amount

from \$450,000,000 a year to \$300,000,000 a year?

The PRESIDING OFFICER. The amendment of the Senator from Nebraska [Mr. WHERRY] to the committee amendment will be stated.

The CHIEF CLERK. On page 2, line 22, it is proposed to amend the committee amendment by striking out "\$1,350,000,000" and inserting "\$900,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY] to the committee amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the committee amendment on page 2, line 22, to strike out "\$1,950,000,000" and insert "\$1,350,000,000."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 2, line 23, after the words "rate of" to strike out "\$650,000,000" and insert "\$450,000,000."

The amendment was agreed to.

The next amendment was, on page 3, line 4, after the word "plans", to strike out the comma and the words "the acquisition of rights-of-way."

The amendment was agreed to.

The next amendment was, on page 3, line 5, after the word "construction", to insert the following proviso: "Provided further, That except for the sum appropriated pursuant to the preceding proviso, no part of the funds made available pursuant to this act shall be used to pay costs incurred under any construction contract entered into by any State before the beginning of the first post-war fiscal year."

The amendment was agreed to.

The next amendment was, on the same page, line 23, after the word "plans", to strike out the comma and the words "the acquisition of rights-of-way."

The amendment was agreed to.

The next amendment was, on page 4, line 5, after "(a)", to strike out "\$250,000,000" and insert "\$200,000,000."

The amendment was agreed to.

The next amendment was, on the same page, line 7, after "(b)", to strike out "\$200,000,000" and insert "\$125,000,000."

The amendment was agreed to.

The next amendment was, on the same page, line 16, after the word "Roads", to insert the following proviso: "Provided further, That in any State having a population density of more than 200 per square mile, as shown by the latest available Federal census, the said system may be selected without regard to included municipal boundaries: Provided further, That any of such funds for secondary and feeder roads which are apportioned to a State in which all public roads and highways are under the control and supervision of the State highway department may, if the State highway department and the Commissioner of Public Roads jointly agree that such funds are not needed for secondary and feeder roads, be expended for projects in

such State on the Federal-aid highway system."

Mr. AIKEN. Mr. President, may we have an explanation of the effect of this amendment, and what States it would affect?

Mr. HAYDEN. The amendment is in two parts, as the Senator will realize. The first proviso was an amendment offered by the Senator from Pennsylvania [Mr. DAVIS], with respect to States having a population density of more than 200 per square mile. Those States are Rhode Island, New Jersey, Massachusetts, Connecticut, New York, and Pennsylvania.

The second amendment was offered by the Senator from Delaware [Mr. BUCK]. As I understand, it would apply to the States of Delaware, North Carolina, and Virginia, which have control of all the roads within their borders. It probably will apply to West Virginia before the effectiveness of the proposed act ends, because that State has obtained control of practically all its highways.

Mr. BUCK. Mr. President, is that the amendment to which the Senator from South Dakota refers?

Mr. BUSHFIELD. No; I have not submitted it yet. I intend to do so as soon as I can obtain the floor.

Mr. BUCK. Mr. President, my interest in this amendment, which was accepted by the committee, arose from the fact that in my State—and I believe the same situation prevails in some of the other States where the roads are under the complete control of the State highway department—we shall not need the money appropriated for secondary roads, for such roads. The amendment provides that, with the approval of the Commissioner of Public Roads, those funds may be used to supplement the funds used on the State highway system.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from South Dakota?

Mr. BUCK. I yield to the Senator from South Dakota.

Mr. BUSHFIELD. I should like to ask the Senator from Delaware a question. Is the proposal to which he has referred now incorporated in the bill?

Mr. BUCK. It is in the bill. It is the second proviso.

Mr. BUSHFIELD. As I understand, it applies only to cases in which the State has control of all the highways.

Mr. BUCK. That is true.

Mr. BUSHFIELD. It would not apply to most of the States of the country.

Mr. BUCK. No. That would not be fair. In counties where there are county highway departments, the State highway department and the Commissioner of Public Roads should certainly not take away from them the money which Congress has provided for their use. If the county highway departments were not needed, they would not exist.

Mr. BUSHFIELD. Mr. President, in connection with the section which we are now considering, on page 4 of the bill, I submitted to the committee considering the bill an amendment whereby the preparation for the building of

secondary roads would be handled by the State highway commission. I do not refer to the funds, but preparations for building the roads. Under the present arrangement, the law provides that the Public Roads Administration shall have supervision of all highways. That is right and proper, and I have no fault to find with that provision. However, it works out in this way: Heretofore we have made appropriations for secondary roads. The State of South Dakota has never used those secondary road funds, simply because the Public Roads Administration demanded a higher type of road than we wanted to build. I propose to offer the same amendment, in effect, which I submitted to the committee, to insert "Provided, That such secondary roads shall be constructed under plans and specifications approved by the State highway department for each particular State." I suggest that that language follow the word "population" in line 11, on page 4.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota will be stated.

The LEGISLATIVE CLERK. On page 4, line 11, after the word "population", it is proposed to insert "Provided, That such secondary roads shall be constructed under plans and specifications approved by the State highway department for each State."

Mr. STEWART. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. STEWART. I am interested in the Senator's amendment, because I have an amendment which is very similar to it. It differs only in that it gives the right to the counties to participate in the preparation of specifications for the roads, and does not leave that matter entirely in the hands of the State highway department. It requires that the county or particular political subdivision in which the roads are to be constructed shall agree with the State highway department.

Mr. BUSHFIELD. I have no objection to that.

Mr. STEWART. I invite the attention of the Senator to my amendment, which is a printed amendment lying on the desk. In the committee print of the bill the pages and lines have been somewhat changed, so I cannot refer to the exact line and page in the committee print. However, my amendment is, on page 4, line 1, of the bill as originally reported, beginning with the word "Provided," to strike out down to and including line 5, and in lieu thereof insert the following: "Provided, That these funds (1) shall be expended upon systems of such roads selected exclusively by agreement between the State highway departments and the county supervisors, county commissioners, or other appropriate road officials of the counties in which such roads are located, and (2) shall be expended for the construction of roads upon such systems in accordance with plans and specifications determined upon exclusively by agreement between the State highway departments and such supervisors, commissioners, or other officials."

Mr. BUSHFIELD. In substance it is the same as my amendment.

Mr. STEWART. It is substantially the same as the Senator's amendment.

Mr. BUSHFIELD. I am willing to accept the Senator's amendment. However, the point which I wish to make clear, if I possibly can, is that objection was made by some members of the committee to the provision that the Federal Government must retain control of the funds.

My amendment is in almost the same wording as that of the Senator from Tennessee. I had no intention of taking away from the Federal Government supervision over the building of secondary roads, and I do not believe that any ordinary construction of the words used in the amendment would take supervision away from the Government. My amendment would merely permit the State highway department in each of the respective States to decide what kind of a road it wished to build. Supervision over the construction of the road and the expenditure of the money would remain in the Federal Public Roads Administration.

I repeat that South Dakota has never used any of the secondary-road money, simply because the Public Roads Administration would not permit us to build the type of road which our people wanted for farm-to-market roads. I believe that the money should be expended to help that class of our population in building farm-to-market roads, and that we should be permitted to build the kind of roads which we want, rather than the kind which the Public Roads Administration wants. Let the Public Roads Administration supervise the construction, but let the counties and States decide upon the types of roads they want.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. STEWART. I believe that the Senator is reaching the important part of the construction of farm-to-market roads by the amendment which he has offered. However, I believe—not from the standpoint of pride of authorship—that my amendment covers the situation a little more completely. We are both driving in the same direction.

The other day I stated on the floor of the Senate, without being critical of the Public Roads Administration—and I do not mean to be, because I think it is doing an outstanding job—that the chief criticism which I had heard in the past few years concerning the construction of farm-to-market roads was just what the Senator from South Dakota has stated, and that is that every time a State, county, or political division attempted to construct a rural road the standards which have been heretofore adopted and controlled by the Public Roads Administration were made entirely too high, and the cost of construction of such roads as the Public Roads Administration would approve was out of line with what the particular community to be served thought the road should cost.

I saw no way to correct that situation except by following the same thought which the Senator from South Dakota



has followed, that is, to require that the specifications for rural roads—and this particular provision applies only to rural or farm-to-market roads—shall be determined by the community in which the road is to be built. Conceivably a rural road in the vicinity of a great city such as Chicago would bear heavier traffic than one in a more remote part of the country would bear; and the community in which such a road is constructed should have the right, since it is the community which is to be served and the one to be aided in paying for the road, to determine the plans and specifications and kinds of road to be built. I think that is a fundamental principle which should remain in the bill, so far as such roads are concerned.

Mr. McKELLAR. Mr. President, will my colleague yield to me?

Mr. STEWART. I yield.

Mr. McKELLAR. I should like the best in the world to agree with my colleague in this matter. One of the best and most powerful friends I have in the State of Tennessee is very anxious to have such a provision inserted in the bill. But the matter is one of principle, with me. I simply cannot do it. I simply cannot bring myself to the policy or the principle of having the Federal Government furnish the money but retain no supervision over its expenditure. That is what the amendment, if adopted, would amount to. I simply cannot see how we would be doing our duty to our Government and to our country, if we turned over \$125,000,000 to be spent in that way.

Mr. BUSHFIELD. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I shall yield in a moment.

Mr. President, the Senator has said it is a matter of principle and policy. It is. It is a matter of the highest principle and policy. If it is good as to secondary roads, why would it not apply in equal measure to principal roads? The principle is exactly the same.

The other principle has worked splendidly. The system of building roads on the principle of equal contributions and Government supervision has worked wonders. Never before has such a system been built anywhere. Why should we now depart from it to the extent of \$125,000,000 a year, and turn that money over to the States? I simply cannot bring myself to reach that conclusion, although I should like to do so, for the personal reasons I have just mentioned. As I said, one of the most powerful, one of the finest, and one of the grandest men I ever knew is earnestly in favor of letting the States and counties have absolute control of the farm-to-market roads. Ordinarily, I would be of the same opinion. But as a member of this Government and as a Senator in this body, I simply cannot bring myself to vote to turn \$125,000,000 over in this way, without retaining control as to the system and as to the plans and specifications and kinds of roads to be built.

I should also like to favor the amendment on account of my able friend, the Senator from South Dakota [Mr. BUSHFIELD]. I should like the best in the

world to agree to its adoption. The Senator is making a grand Senator, and he is a grand man. But I cannot bring myself to vote for it, and I hope to heaven the Senate will not agree to it.

The PRESIDING OFFICER. The present occupant of the chair understands that the Senator from South Dakota has not offered an amendment to the committee amendment.

Mr. BUSHFIELD. Mr. President, I am about to offer an amendment, not a committee amendment. The amendment was considered in the committee, however.

Mr. McKELLAR. Mr. President, under the unanimous-consent agreement, were not the committee amendments to be first considered?

The PRESIDING OFFICER. The amendment of the Senator from South Dakota apparently, from his own statement, is an amendment to the bill, not a committee amendment. Therefore, it is not to be considered at this time. Under the unanimous-consent agreement, the committee amendments are to be first considered.

The pending question is on agreeing to the committee amendment on page 4, beginning in line 16. The Chair hears no objection to the amendment. Without objection, the amendment is agreed to.

Mr. STEWART. Mr. President, I should like to ask a question of the Senator from South Dakota. I ask whether I correctly understood him to state that the amendment which he will later offer will include the words "in cooperation with the county supervisors, county commissioners, or other appropriate local road officials". I should like to have the Senator accept an amendment which would include road officials of the counties being served.

I understand that some of the States of the Union do not have any county highway commissioners. Of course, we are dealing with 48 different States and, probably, 48 different road systems. But, after all, many of them are somewhat akin. However, some of the States do not undertake to maintain separate county road systems. Some of them do maintain separate county road systems. After all, if the amendment is to meet the situation in every State, not merely in those where independent county road systems are not maintained, it should be so drawn that the independent county road systems would not be forced to comply with standards adopted by the State highway commissions alone.

Under the Senator's amendment, the State highway departments would make the entire selection. For instance, in the State of Tennessee, regarding whose road system I have more knowledge than with respect to that of any other State, the State commission has no interest in roads which are merely a part of a county system.

Mr. BUSHFIELD. Mr. President, I do not wish to be misunderstood. I said I accepted the Senator's idea in principle. I did not say I accepted the exact wording which was stated, because I had not read it.

Mr. STEWART. I should like to have the Senator consider that point.

Before I take my seat, I desire to state that this matter goes to the fundamentals of the provisions of the bill which control the construction of rural roads. Let me add that I am in favor of it because of the fact that almost every year for possibly 6, 8, or 10 years, bills providing funds for highway purposes, which have been passed by the Senate and by the House, have contained provisions for farm-to-market road air or rural road aid. I understand that it began about 1936, more or less as an experimental matter.

Mr. McKELLAR. That is correct. It was in a very small amount and did not amount to much. This is the beginning of the system.

Mr. STEWART. I understand that each road bill since 1936 has contained some such provision.

Mr. HAYDEN. But the amounts of money so appropriated have been very meager, nothing substantial.

Mr. STEWART. I understand that to be correct; but very few country roads have been built. So, if we continue to give authority to the Federal Government to have complete control over the construction of these roads, I am afraid it will not accomplish what we would like to have accomplished.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment of the committee was, on page 5, line 3, to strike out "\$200,000,000", and insert "\$125,000,000." The amendment was agreed to.

The next committee amendment was, on page 5, line 9, to strike out "\$250,000,000", and insert "\$200,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee. Without objection—

Mr. MALONEY. Mr. President, I desire to offer an amendment to the amendment. I will read it. On page 6, strike out the period after the word "census", and insert a comma and the following language—

Mr. McKELLAR. Mr. President, we have not yet reached that point.

Mr. HAYDEN. We have not yet reached that place. We are on page 5.

Mr. MALONEY. I beg the pardon of the Chair. I meant to refer to page 5.

Mr. HAYDEN. The Senator has been referring to page 6, but the pending committee amendment is on page 5.

Mr. MALONEY. I have the committee print before me. I understand that the amendment now pending is on page 5, in line 9.

Mr. HAYDEN. That is correct.

Mr. MALONEY. I desire to offer the following amendment: On page 5, in line 14, strike out the period after the word "act" and insert a comma and the following language: "Provided, That no State shall receive less than an apportionment equal to six-tenths of the percentage of the Federal gasoline tax collected in the State, as measured by the total net amount taxed value in Public Roads Administration Statistical Report G-2 for 1941."

The PRESIDING OFFICER. The Chair advises the Senator from Connecticut that the amendment he has just stated would constitute an amendment to the bill, and is not now in order, since it would not constitute an amendment to the committee amendment on page 5, in line 9.

After all the committee amendments have been considered, the Senator's amendment will be in order.

Mr. MALONEY. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 5, in line 9.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 5, line 10, after the word "system", to strike out "and the \$200,000,000 per year available for projects on the secondary and feeder roads shall each" and insert "shall."

The amendment was agreed to.

The next amendment was, on page 5, after line 14, to insert the following new subsection:

(b) The \$125,000,000 per year available for projects on the secondary and feeder roads shall be apportioned among the States in the following manner: One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the rural population of each State bears to the total rural population of all the States, as shown by the Federal census of 1940; and one-third in the ratio which the mileage of rural delivery and star routes in each State bears to the total mileage of rural delivery and star routes in all the States.

The amendment was agreed to.

The next amendment was, on the same page, line 25, to strike out "\$200,000,000" and insert "\$125,000,000."

The amendment was agreed to.

Mr. MALONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MALONEY. I am raising the question in order to protect my position. I have a feeling that the Chair may rule as he did a moment ago. I desire to amend, on page 6, in line 7, after the word "census", by striking out the period, inserting a comma, and the following language: "Provided, That Connecticut towns shall be considered as municipalities regardless of their incorporated status."

The PRESIDING OFFICER. The Chair rules that the amendment offered by the Senator from Connecticut would constitute an amendment to the bill, and would not be in order until after all committee amendments had been considered, and amendments to the bill were called for.

The next amendment of the committee will be stated.

The next amendment was, on page 6, line 22, after the word "exceed", to strike out "60" and insert "50", and in the same line after the words "of the" to insert "construction."

The amendment was agreed to.

Mr. MALONEY. Mr. President, on page 5, line 25, and on page 6, lines 8

and 11, the subdivisions were not changed so as to be in their proper alphabetical order.

The PRESIDING OFFICER. The Chair passed over those amendments as having been unanimously agreed to, but in order to make the Record clear, without objection, subparagraph (b) on page 5, and subparagraphs (c) and (d) on page 6 will be changed to (c), (d), and (e), respectively.

The next committee amendment will be stated.

The next amendment was, on page 7, line 10, after the word "classes", to strike out:

And provided further, That the entire construction cost of projects for the elimination of hazards of railway-highway crossings may be paid from Federal funds, except that not more than 50 percent of the right-of-way and property damage costs, paid from public funds, on any such project, may be paid from Federal funds.

And insert:

And provided further, That any part of the construction cost of projects for the elimination of hazards of railway-highway crossings, except the part of such cost which is paid by the railway or railways involved, may be paid from Federal funds: *Provided further*, That no Federal funds shall be expended on any such project unless the railway or railways involved pay not less than 15 percent of the construction cost of such project.

(b) If within any of the three post-war fiscal years referred to in this act the Federal Works Administrator shall find with respect to any State (1) that the proceeds of all special taxes on motor-vehicle transportation, as referred to in section 12 of the act of June 18, 1934 (48 Stat. 995), as amended, are applied to highway purposes as defined in said section; (2) that at least 90 percent of such proceeds are applied to the administrative and operating expenses of the State highway department, the maintenance of the State and Federal-aid highway systems, and the payment of interest on, and the amortization of, bond obligations of the State for the payment of which such revenues have been continuously pledged since January 1, 1942; (3) that the rate of none of such taxes has been reduced after September 1, 1944; and (4) that the portion of the proceeds of all such special taxes then available for construction, together with funds available to the State from any other sources for highway purposes, will be insufficient to match all, or any part of the funds apportioned to such State for such fiscal years in accordance with the provisions of this act, then such portion of such apportionments as the Federal Works Administrator shall find the State is unable to match shall be made available for expenditure in such State in accordance with the Federal Highway Act, as amended and supplemented, without being matched by the State. Any finding made by the Federal Works Administrator under this subsection shall be made by him only after a full and complete investigation of the facts and records upon which such finding is based.

Mr. FERGUSON. Mr. President, in the committee I opposed this amendment and I wish to oppose it on the floor of the Senate.

If we adopt the proposed amendment, in my opinion we will be passing class legislation which will accommodate and be for the benefit of but one State in the Union. We should know that if we agree to the amendment we will say, in effect, to the States of the Union that in the

future if they wish to violate the rules, if they wish to appropriate money and misuse it on highways, and later find themselves in such financial condition that they will not be able to match with the other States, then the Federal Congress will take care of them notwithstanding their conduct in the past. The proposed amendment goes so far as to say that a State may appropriate to other uses 10 percent of its revenue. Arkansas will be benefited by this section. It can divert to other uses 10 percent of its highway funds and still not match the Federal fund.

Mr. McKELLAR. Mr. President, does the Senator refer to the language in line 5 on page 8?

Mr. FERGUSON. Yes.

Mr. McKELLAR. It would not be diversion. The language states:

That at least 90 percent of such proceeds are applied to the administrative and operating expenses of the State highway department, the maintenance of the State and Federal-aid highway systems, and the payment of interest on, and the amortization of, bond obligations of the State for the payment of which such revenues have been continuously pledged—

And so forth.

Mr. FERGUSON. It would allow the States to use 10 percent for other uses provided they used 90 percent in the manner provided in the bill. They could divert 10 percent of the money.

Mr. McKELLAR. The language provides that all the proceeds from special taxes—

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. McCLELLAN. The provision to which reference has been made is contained in the former Road Act. This is a copy of the former act. But, in order that there may be no misunderstanding with reference to the State of Arkansas, which the Senator seems to be discussing, I state that there is no diversion of funds in Arkansas. There is not even 1-percent diversion. All the money which is collected there for highway purposes is expended for highway purposes. As I interpret the proposed amendment, which is a copy of a provision in highway legislation heretofore enacted by Congress, the language with respect to the proceeds from all special taxes under clause (1) is a condition precedent. The language to which I refer reads:

That the proceeds of all special taxes on motor-vehicle transportation, as referred to in section 12 of the act of June 18, 1934 (48 Stat. 995), as amended, are applied to highway purposes as defined in said section.

If the section means anything, it requires all and not merely 90 percent.

Mr. FERGUSON. Mr. President, I have read section 12 of what has been referred to as the act of June 18, 1934, 48 Statutes 995, and there is nothing mentioned in relation to what the Senator has said. The language reads:

SEC. 12. Since it is unfair and unjust to tax motor-vehicle transportation unless the proceeds of such taxation are applied to the construction, improvement, or maintenance of highways, after June 30, 1935, Federal aid for highway construction shall be extended only to those States that use at least the



amounts now provided by law for such purposes in each State from State motor-vehicle registration fees, licenses, gasoline taxes, and other special taxes on motor-vehicle owners and operators of all kinds for the construction, improvement, and maintenance of highways and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues have been pledged, and for no other purposes, under such regulations as the Secretary of Agriculture shall promulgate from time to time: *Provided*, That in no case shall the provisions of this section operate to deprive any State of more than one-third of the amount to which that State would be entitled under any apportionment hereafter made, for the fiscal year for which the apportionment is made.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. McKELLAR. That language the Senator from Arkansas says was taken from a former act. It will be remembered once or twice or maybe several times we used such language. I wonder, may I not bring about another compromise between the Senator from Arkansas and the Senator from Michigan? Suppose it were made to read "99 percent" instead of "90 percent"; would that be satisfactory?

Mr. FERGUSON. I cannot agree to any compromise of this section because, in my opinion, it is very bad legislation, and should not be passed at all.

Mr. McKELLAR. I understand the Senator is going to vote against the entire section. That is my understanding from what he has told me.

Mr. FERGUSON. Making it 99 percent would help 9 percent.

Mr. McKELLAR. If there is some confusion about it, let us do away with the confusion by making it 100 percent.

Mr. FERGUSON. I think it should be a hundred percent.

Mr. McCLELLAN. Mr. President, I wish to say to the Senator that the 90-percent provision, if construed as the Senator interprets it, is not militating in favor particularly of the State of Arkansas. At the time it was originally enacted it was made broad enough to favor some States that might have some slight diversions. Arkansas did not have, but it was not an effort to single out merely one State, as the Senator says. Neither is this, because there will be in this program before it is completed other States, in my judgment, that are not going to be able to match this money and that possibly are not diverting, and they ought not to be precluded from participating in this program, to whatever extent their proper allocation of Federal funds may be, merely because they may have expended in the past for highway purposes the full limit of their revenues of the present.

Mr. McKELLAR. Mr. President, again in the interest of harmony, I am going to ask unanimous consent that the figure "90" be stricken out and the figure "100" be inserted.

Mr. McCLELLAN. Mr. President, I may say, in all fairness, that other States may have a little fraction of diversion somewhere which no one would regard as substantial.

Mr. McKELLAR. I should think the Bureau of Roads would pass upon that in an entirely proper way.

Mr. McCLELLAN. If it is made 100 percent and there should be a dollar diversion, that would knock the whole section out so far as some States are concerned.

Mr. McKELLAR. That would make the officials very particular, and that is all the Senator wants, and all anyone should want.

Mr. McCLELLAN. That is all I want. I think if we make it 98 or 99 percent the protection desired would absolutely be afforded.

Mr. FERGUSON. Mr. President, why should any percentage of money that is raised for highway purposes be diverted and in the next breath the Federal Government be asked to appropriate money without the State even matching the sum?

Mr. McCLELLAN. Mr. President, will the Senator yield there?

Mr. FERGUSON. I yield.

Mr. McCLELLAN. On that basis, if we are going to follow that principle in this legislation, we should put in this bill a provision that no State that diverts gasoline taxes or revenues derived from motor vehicles may be permitted to participate in the program. We ought to bring it all in line now if that is the principle to be followed. Because a State has a slight diversion, or some diversion, if we are going to say that after it has gone the limit in the road-building program, as my State has done, it cannot participate in this program unless it can go to some other source and find additional revenue, when it has gone as far as it can go—if we are going to hew to the line in the matter of diversion we certainly ought not to appropriate money for States that are diverting from gasoline taxes and give them a huge amount under this particular program, as is proposed to be given to them. If this proposed law is to be predicated on such a principle, then I am afraid this bill cannot pass.

Mr. FERGUSON. I cannot think that that is at all in line with this provision. If a State raises money and is able, notwithstanding some diversion of its funds, to match the Federal money, there is no reason why the Government should say that under no circumstances may the State divert. We merely say in this act that it cannot divert if it wants the Federal Government to match its money or the stake it is putting up. That is all that it is proposed to say by the bill.

Mr. McKELLAR. Mr. President, again in the attempt to harmonize, I ask unanimous consent to strike out "90" and insert "100." Will the Senator from Michigan yield to me for that purpose?

Mr. FERGUSON. I yield for that purpose.

The PRESIDING OFFICER. Is there objection to the motion of the Senator from Tennessee?

Mr. McKELLAR. It is a request for unanimous consent, and not a motion.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Tennessee?

Mr. FERGUSON. Mr. President, I understand that the bill has been amended now to read that "at least 100 percent" of such proceeds are applied to administration. I presume we should strike out by unanimous consent the words "at least," so that it would read "100 percent of such proceeds."

Mr. McKELLAR. I agree that that should be done.

The PRESIDING OFFICER. For the sake of clarity, the clerk will read the amendment as it now reads.

The LEGISLATIVE CLERK. On page 8, line 5, it is proposed to strike out the words "at least 90" and insert "100," so as to read "that 100 percent of such proceeds are applied to the administrative and operating expenses of the State highway department," and so forth.

The PRESIDING OFFICER. Is there objection to the amendment, as it has just been stated, to the committee amendment? The Chair hears none, and the amendment to the committee amendment is agreed to.

The question recurs on agreeing to the committee amendment as amended.

Mr. FERGUSON. Mr. President, at least we have remedied one defect to the extent of 10 percent, but I still think that this is bad legislation, because we are saying to the State of Arkansas and to every other State in the Union that if the State places its highway department in such a position that the State will not be able to match the Federal money to the extent provided, namely, 50 percent, each State and the Federal Government putting up the same amount, which is 50 percent, it is going to be the policy of the Congress to give the State 100 percent.

Mr. President, I appreciate what happened to Arkansas in her road-building program a number of years ago. A few years ago Arkansas built a great mileage of highways under so-called district road building, and it was found that the districts could not pay for them. A tax was levied directly against the land, and it became necessary for the State to take up that indebtedness and make it a State indebtedness, and we are now attempting to allow that State to pay off that indebtedness and share in the Federal fund without matching the Federal fund with State funds.

They are now saying to the Federal Government that, notwithstanding an absolute provision in the pending bill, they will pay money only up to the extent of 50 percent, that in their particular case we are to put up 100 percent. If this is going to happen in the State of Arkansas, we are going to say to the other States in the Union, "We are not concerned with the way you handle your funds next year and the year after, we are not concerned with the amount of money you raise. If you use 100 percent of it for your roads, we will not only match it to the extent of 50 percent, but we will match it to the extent that we match any other State in the Union."

Mr. President, I do not know what we can do here but strike out this provision and say to the States of the

Union, "We believe in the use for highways of money that is raised for highway purposes, and we, the Federal Government, are willing to match the amount you provide, but we are not going to let you divert your money collected in previous years, or even to place proper taxation upon the books and say we will extend you credit notwithstanding 45 or 47 other States are getting it only to the extent of 50 percent."

Mr. President, I think we should vote down this particular amendment. It has no place in the bill, because the bill is founded upon the fundamental principles that the Federal Government will match funds, and will only match funds, and is not going to make an exception of one State and make a donation of a certain amount of money to that State because other States are able to match.

Mr. McCLELLAN. Mr. President, as I stated a moment ago, Arkansas is not the only State that is not going to be able to match the entire program.

Mr. FERGUSON. Will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. FERGUSON. So that the RECORD may be clear, let me say that my reason for using the State of Arkansas was that I talked to Mr. McDonald this morning, and I understood him to say that at the present time Arkansas is the only State which would be unable to match on the basis of a \$450,000,000 appropriation per annum. That was why I used the one State. I anticipate that in the future other States may take advantage of the same provision.

Mr. McCLELLAN. I do not know about the \$450,000,000, since the figure has been reduced, but it was anticipated that some 12 or 15 States would not be able to match on the basis of the original bill, that is, through the 3-year period.

The Senator refers to how my State has spent its money. Let me say to him that it is true, possibly, that in our ambition to try to have roads we made some mistakes in the early period of our road-building program, but I do not believe the Senator can find that anywhere or at any time Arkansas has diverted road money for any other purpose. The truth is that we burdened our people in an effort to build roads. The tax to which the Senator referred was placed on the land values adjacent to the various roads in our effort to build up a road system. I agree with the Senator that it did not prove to be a good system or a good policy. Thereafter, as automobile transportation developed, Arkansas went into a road-building program and took over the bonds, where the taxes were on the real property.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCLELLAN. I gladly yield.

Mr. FERGUSON. On the same basis, if we enact the proposed legislation, and other States have the same situation, having an indebtedness which is against particular land, what would prevent such a State from transferring such indebtedness to a State basis, and thereafter saying to the Federal Government, "We are going to pay that off as a State, and we

are going to share a hundred percent with any other State and not put up \$1"? What is to prevent that very thing happening, under this section?

Mr. McCLELLAN. It is not happening anywhere now. That period of road construction is over, as the Senator knows.

Mr. FERGUSON. I am positive that in Michigan we have some bonds which are outstanding under the Covert Act which could be transferred to the State. I know that other States must have the same situation, the indebtedness being a lien upon the land, which could be transferred from districts and counties to the State. Then they would share under this section of the proposed act, and not have to put up one cent.

Mr. McCLELLAN. I am sure we have the same situation, particularly with respect to urban roads. The Senator is complaining about a provision, this amendment, which has been a provision in two previous highway laws, in the 1936 act, and also in the 1938 act. In the pending bill we have an innovation, an appropriation for strictly urban highways, in cities of 5,000 population or more. The bill sets up a formula which gives tremendous advantage to States which are small in area, and have large numbers of communities of 5,000 and more, whereas a State like Arkansas will receive practically no benefit.

What the Senator is today opposing is not new legislation, but there is new legislation proposed in the bill which he is supporting. We are starting a new program from which my State will receive practically no benefit.

Mr. FERGUSON rose.

Mr. McCLELLAN. Let me point out one other thing to the Senator, then I shall be glad to yield to him, because he may desire to comment upon it. Arkansas pays into the Federal Treasury in the way of motor-vehicle taxes, under the Federal tax laws, approximately a million and a half to two million dollars a year at the present time. In my State the tax rate is next to the highest in the Nation. We have a 6½-cent tax on gasoline, plus a 1½-cent Federal tax, which makes the tax we are paying on gasoline 8 cents. We are carrying this road program and retiring this indebtedness, and since there has been no construction program in the last 2 or 3 years, we will have some four or five million dollars in the beginning of the program with which we can match Federal funds. To that extent we can begin, and over the whole period of time we can probably match a total of \$8,000,000, of the \$19,000,000 plus of Arkansas' allocation of funds provided in the bill.

If we are to say to a State, "We are going to tax you and just because you have already expanded your road system and builded it up to the point where all the revenue under the high taxation is consumed, yet we are going to continue to tax you and not permit you to receive any money back," on the basis of equity I think there should be an amendment to the bill providing that when a State has expended its revenue and is unable to match, certainly such a State should be reimbursed the Federal taxes

it pays and which otherwise would be allocated and used for other States under this program.

In reference to his remark about favoring a State, I suggest to the Senator that if we are to go into this new program of urban highways, and under the program which we are now initiating with respect to the urban highways Arkansas would receive 30 cents per capita if it were able to match, while other States received as high as \$2 and more per capita. That is what I would regard as discrimination. Yet, as has been said on the floor of the Senate, in trying to pass a bill such as this we have to do some giving and some taking. Therefore I have gone along with these provisions which would help others in order to meet the peculiar situations of other States.

I do not want an act which is, in part, to meet the needs of the country, next to provide a works program, possibly in the post-war period, with my State continuing to pay the Federal tax but not being permitted to participate in the program on the same basis practically on which other States are receiving benefits.

Mr. REED. I inquire if the Senator from Arkansas has yielded the floor?

Mr. McCLELLAN. I yield the floor.

Mr. REED. Mr. President, the acceptance of this amendment by the committee was a very fine compliment to the Senator from Arkansas. I do not believe there is any other circumstance that would have secured its acceptance. At the same time, Mr. President, it is thoroughly unsound legislation. Reduced to the very simplest terms, this proposal means that when a State reaches the end of its ability to match—and for the moment I am disregarding the cause, or what the State does with its money—the fact remains that the adoption of this amendment means that when a State reaches the end of its ability to match, the Federal Government will build the roads and pay for them 100 percent. That is not good legislation.

Mr. President, I have no criticism of Arkansas as a State. I have no right to criticize it. I would not criticize it if I had a right to do so. The State did make an earnest effort. Whether its action was wise or not does not change the fact that it did make a very earnest effort some 10 or 12 years ago to construct a high-class system of roads, and the State spent a great deal of money, and it had a great deal of trouble. To me, however, that does not enter into the equation.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REED. If the Senator from Tennessee will be good enough to wait I will finish in a moment or two. I am not considering the reasons why Arkansas finds itself in this dilemma any more than I have a right to criticize Nebraska or New York—and New York is the worst offender of all, for it diverts \$64,000,000 a year.

I will state the fundamental principle involved in this legislation. We have gone along over a period of years on a basis of matching Federal contributions



by State contributions 50-50. Now we are saying by this provision that when a State reaches the end of its ability to match—and again I desire to call the attention of the Senate to the fact that I am not discussing the reason for it—the Federal Government shall come forward and build the roads 100 percent. If we are going to do that for Arkansas, there is no reason why we should not do it for Nebraska when Nebraska reaches the end of its ability to match, though the reasons may be different.

Mr. President, I am just as fond of the Senator from Arkansas as is any member of the committee who voted to accept his amendment. What I now say is said because I profoundly believe that even though such a provision has been included in some previous act, yet it is unsound legislation, and in the absence of some extraordinary catastrophe, some act of God, some circumstance beyond the control of a State, the Federal Government ought not to go into a State and construct roads 100 percent out of Federal funds merely because the State has reached the end of its ability to match.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. REED. I will now yield the floor unless the Senator desires to ask me a question.

Mr. McCLELLAN. I wish to ask the Senator one question.

Mr. REED. I yield.

Mr. McCLELLAN. The Senator says he feels it would not be right for the Federal Government to go into a State and build the roads on the basis he has described. Does the Senator feel that in cases where States are diverting considerable of their road taxes it is right for the Federal Government to go into them and put up some of the money to build up their road systems?

Mr. REED. The Senator from Arkansas propounds a very interesting and a very important question. It is none of my business what the State of New York does with its excess.

Mr. McCLELLAN. The Senator suggested the State of New York. I did not. I am talking about any State.

Mr. REED. I took the State of New York because it is the largest. It is none of my business either as a Senator or as a citizen of Kansas what New York does with its excess collections from highway users. The only reason why I have a right to interest myself in what New York does is that we have a program of matching State funds with Federal funds 50 percent each. If New York can match Federal funds up to the full limit offered in the construction of the road program, no matter whether I think it is wise or unwise, no matter whether I think New York may be mistreating and misusing its highway users, no matter whether I think New York is following an unwise policy, it is none of my business as a Senator of the United States. Does that answer the Senator's question?

Mr. McCLELLAN. Except this, that I am not undertaking to criticize New York or any other State for the use of its money as it may choose, but the fact remains that we still make a contribu-

tion from Federal funds for the construction of roads in those States, and we are doing it not because the particular State needs it so much, because the State has revenues coming in for that purpose, with which to construct roads, but simply because it is equitable in an all-out road-construction program or a Federal road-construction program.

Mr. REED. I may add to what the Senator from Arkansas has said, that what we are doing is to construct a national system of highways. In order to carry out that purpose and to bring about that end, the Federal Government says to the States, "Now in order to create this system of highways we will pay half the cost, and you pay the other half." My interest as a Senator must cease when the State matches the money which is available and which is offered to the State. What it may do with the excess over the amount necessary to match the Federal funds, whether the State be Georgia or New York or Nebraska, or any other State, is none of my business. But, if I may be permitted to say so, I think the answer to the question asked by the Senator from Arkansas, is that when the ability of a State to match the funds offered by the Federal Government is exhausted, when the State has reached its limit or capacity, then the Government should stop building Federal-aid roads in that State.

Mr. McKELLAR. Mr. President, the committee amendment, of course, is a departure from the general practice, but we have had the same arguments made twice before on the floor, and the Congress has agreed to the proposal after arguments were made. That is probably no reason why it should be done now. This bill however is a matter of compromise. It is remarkable—

Mr. REED. Mr. President—

Mr. McKELLAR. Wait one moment. The Senator declined to yield a moment ago, and now I will ask him to wait for a moment.

Mr. REED. I was going to remind the Senator of his devotion to a principle from which he would not yield.

Mr. McKELLAR. Wait one moment. The Senator has yielded and made several departures from principle. It is remarkable that this discussion arises between two States apparently, and one of them has an advantage over the other.

The wonderful State which my good friend, the Senator from Michigan [Mr. FERGUSON] represents, one of the greatest States in the Union, is getting a very decided advantage in this bill, a very large advantage, as compared with the advantage that is given to the State of Arkansas, for the reasons which have been stated. Of the \$125,000,000 for urban roads, New York, Massachusetts, New Jersey, Pennsylvania, California, and Michigan together receive over one-half of the \$125,000,000.

Mr. FERGUSON rose.

Mr. McKELLAR. Just one moment. Let that statement sink in. I did not think such a division was proper. Theoretically it is not. But we have had to adjust these differences, we have had to agree respecting these differences. We all agreed upon the amendments yester-

day, with the exception of the one relating to payment for rights-of-way. I did not know that the Senator had disagreed with respect to this amendment. I misunderstood him. However, the other members of the committee all agreed to it.

I am pointing this out not for the purpose of casting any reflection upon my friend, or for the purpose of criticizing, but merely for the purpose of showing that we have had to yield something in order to get a road bill. I think it is rather unfair that six States in the Union should receive approximately sixty-two and a half million dollars of the appropriation for urban areas; but I certainly shall carry out my agreement. I shall not speak against that provision. There are some things about it which I do not like, but I shall not speak against it. I shall carry out my agreement. That is the only way in which we can arrive at a satisfactory bill. We cannot enact a bill if we continue to fight. We have compromised, yielded, and made adjustments in the committee, and I think the adjustments have been excellent. I am not quarreling over the small matter of the State of Arkansas, or the large matter of the State of Michigan, the State of New York, and other States. I am perfectly willing for them to have this advantage, because that is the way to compromise and adjust.

Therefore, as I did a while ago, I ask the Senate again, as earnestly as I know how, with as good grace as I can command, and in as kindly a way as I know how, to pass the bill today. For heaven's sake, let us not quarrel over the question whether one State or another obtains a slight advantage, because they are all being dealt with very generously by the Government.

Mr. BUCK. Mr. President, I believe that this is an unwise amendment, and I hope it will be defeated. I should like to ask the distinguished chairman of the committee to refresh my memory. Was not this amendment approved in the committee by a margin of one vote?

Mr. McKELLAR. I believe it was. I do not remember exactly.

Mr. BUCK. My recollection is that the vote was 6 to 5 or 7 to 6.

Mr. McKELLAR. It was tentatively agreed to in that way. Then we tentatively agreed to all the amendments, and finally reported the measure without opposition, except that the Senator from Michigan [Mr. FERGUSON] desired to be recorded against the amendment dealing with rights-of-way.

Mr. FERGUSON. Mr. President, it is my understanding that the amendment was approved by a margin of one vote; but I believe I should say something about the so-called favoritism shown to certain States in this bill.

The State of Michigan is interested in good roads. Most of the automobiles of the country are manufactured in Michigan. We have some large cities in Michigan. Some of the other States which have been mentioned have large cities. This is the first time that it has ever been recognized that Federal highways even went near or through the large cities of the country.

It is my understanding that the Federal Government collects from the automobile owners and drivers of this country \$650,000,000 a year. In my opinion, the people in the large cities of the country pay a great percentage of that \$650,000,000. Then we hear from the State of Arkansas and from the State of Tennessee that because there is an appropriation in the bill of \$125,000,000, the first appropriation the cities have received, favoritism is being shown to certain States because they happen to have within their borders large cities. I think it ill becomes the States which have been receiving Federal aid for many years to say that Federal aid should be extended only with respect to rural roads, when the war effort of this country has worn out many of the streets of the cities of Detroit, Flint, Saginaw, Muskegon, Grand Rapids, Kalamazoo, and other cities of this Nation.

Mr. President, the cities will not be able to use the \$125,000,000 a year, because the State highway departments will not be able to furnish the money necessary to widen streets and highways to accommodate the people from the rural sections. The committee has eliminated from the bill the aid which would otherwise have been given to the large cities by reason of the Federal Government sharing in the costs of condemnation.

Mr. President, the fact that in the past we have twice included a provision similar to the pending amendment in bills appropriating small sums of money is no reason why we should do it a third time, and favor one State. In my humble judgment, this is merely an opening wedge for every highway department in the United States to have its lawyers look into the possibility of avoiding the 50-50 ratio of contributions, and still receive the full amount. We should not make available to State highway departments this loophole by which they can change the 50-50 arrangement and receive appropriations from the Federal Government without matching them.

Mr. McKELLAR. Mr. President, I believe the Senator unintentionally included Tennessee when he should not have done so. Tennessee has matched Federal funds every time, and will continue to do so.

The Senator seems to think that a horrible example would be set by this amendment. This provision has been in the law for nearly 10 years, and nothing very harmful has resulted from it, and probably nothing harmful will result from the fact that six States in the Union will receive half of the appropriation for urban areas. I wished to adjust, compromise, and arrange this matter so that if possible the country would be pleased, Senators would be pleased, and the Congress would be pleased at being able to enact a highway bill.

This is a serious matter. We ought to improve the roads of our country. Some of them are now in bad condition, and we ought not to quarrel over small troubles in a few States. All this trouble arises in seven States.

Mr. REED. Mr. President, I rise only because of the inferential criticism implied by the Senator from Tennessee

with respect to not always following the committee.

Mr. McKELLAR. Mr. President, I withdraw it. I did not mean it in that way.

Mr. REED. I am a member of the committee, and I participated in its action. I ask the Senator from Tennessee to testify as to whether or not I gave and took as much as any other member of the committee. However, the compromises related entirely to details, such as the question of how much money should be appropriated, and so forth. When it comes to the question of whether the Federal Government should share in the costs of rights-of-way, it is my opinion that from a practical standpoint it should do so. It is proposed to appropriate \$125,000,000 for urban areas, which means taking the national highways into or around large cities. The largest part of the cost of such an operation lies in the acquisition of rights-of-way. If the Federal Government does not participate in the cost of purchasing rights-of-way for that purpose, there will be no improvement, and the \$125,000,000 will not be spent. The Senator from Michigan is correct in that respect.

With respect to the elimination of grade crossings, I desire to see railroad grade crossings eliminated. I believe that injury to the people of the country is the main factor. But I yielded on all those questions.

However, the pending provision deals with a question of principle, and sound legislation. I remember the distinguished Senator from Tennessee smiling earlier in the day when he was asked if he would yield on the minor question involved in the Stewart amendment, which will be before the Senate for consideration later, and the Bushfield amendment. He assured them that he was sticking to his principles. So I say to the Senator from Tennessee that I am sticking to my principles.

Mr. McKELLAR. That is all right.

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next committee amendment was, on page 12, line 12, after the word "highways", to strike out "or roadside development areas along such highways", and insert "after approval of the location by the Civil Aeronautics Administration."

The amendment was agreed to.

The next amendment of the committee was, on page 12, in line 21, after the word "necessary", to insert "construction."

The amendment was agreed to.

The next amendment was, on page 12, line 22, after the word "therefor", to strike out the comma and the words "including the cost of acquiring the land necessary for such facilities."

The amendment was agreed to.

The next amendment was, on page 13, in line 8, after the word "the", to strike

out "location, form", and insert "form."

The amendment was agreed to.

The next amendment was, on page 13, line 12, after the words "subject to", to strike out "the approval of", and insert "a standard code approved by."

The amendment was agreed to.

The next amendment was, on page 13, line 13, after the words "concurrence of the" to insert "Commissioner."

The amendment was agreed to.

The next amendment was, on page 13, line 14, after the word "Roads", to strike out "Administration; and the Commissioner of Public Roads is hereby directed to concur only in such installations as will promote the safe and efficient utilization of the highways."

The amendment was agreed to.

Mr. BRIDGES. Mr. President, I was absent in the cloakroom a moment ago when action was taken on the so-called McClellan amendment. I am told that it was agreed to before my return to the floor, and that there was no opportunity to request a yeas-and-nays vote on the amendment, that action on it was taken very quickly.

Therefore, I ask unanimous consent that the Senate reconsider the vote by which the amendment was agreed to.

The PRESIDING OFFICER. Is there objection?

Mr. McCLELLAN. Mr. President, reserving the right to object, let me say that we have been debating this matter for some time. I do not have any particular objection, if some Senator desires to have further debate on it.

Mr. BRIDGES. I wish to be heard on it.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from New Hampshire? The Chair hears none; and, without objection, the vote by which the committee amendment beginning in line 24 on page 7 and extending through page 8 and through lines 1 and 2, on page 9, was agreed to is reconsidered, and the amendment is before the Senate.

Mr. BRIDGES. Mr. President, I wish to say that this particular amendment, it seems to me, establishes a bad precedent. We insert in the bill a provision for a 50-50 matching of funds, as between the Federal Government and the States. Then, when we proceed to include this particular amendment, we automatically kill the theory of the 50-50 matching amendment. I think we are getting into a type of legislation which will have an extremely bad reaction as a precedent to be followed during this time of critical necessity, and I believe we will rue the day when we adopted it.

Therefore, Mr. President, I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment beginning in line 24 on page 7.

Mr. BRIDGES. On this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.



The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	Reed
Andrews	Gillette	Revercomb
Austin	Hatch	Reynolds
Ball	Hayden	Robertson
Bankhead	Hill	Russell
Barkley	Jackson	Scruggam
Brewster	Johnson, Calif.	Shipstead
Bridges	Johnson, Colo.	Stewart
Buck	Kilgore	Thomas, Okla.
Burton	Langer	Thomas, Utah
Bushfield	McCarran	Tunnell
Byrd	McClellan	Vandenberg
Capper	McKellar	Walsh, N. J.
Caraway	Maloney	Weeks
Chavez	Maybank	Wherry
Clark, Mo.	Mead	White
Connally	Millikin	Wiley
Cordon	O'Daniel	Willis
Danaher	O'Mahoney	
Ferguson	Radcliffe	

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from New Jersey [Mr. HAWKES], the Senator from Oregon [Mr. HOLMAN], the Senator from North Dakota [Mr. NYE], the Senator from Ohio [Mr. TAFT], the Senator from Idaho [Mr. THOMAS], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The PRESIDING OFFICER. Fifty-eight Senators having answered to their names, a quorum is present.

Mr. BURTON. Mr. President, what is the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 7, beginning with line 24 and extending through line 2 on page 9, as amended. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. The only amendment which has been made to the committee amendment was on page 8, line 5, to strike out "90" and insert "100."

The PRESIDING OFFICER. That is correct.

Mr. FERGUSON. And a "nay" vote would be to strike out the entire amendment?

The PRESIDING OFFICER. That is correct. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this vote I transfer my pair to the senior Senator from Nebraska [Mr. BUTLER] who would vote as I am about to vote. I am therefore free to vote. I vote "nay."

Mr. STEWART (when his name was called). I have a pair with the senior Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the senior Senator from Mississippi [Mr. BILBO], and will vote. I vote "yea."

The roll call was concluded.

Mr. HAYDEN (after having voted in the affirmative). I have a pair with the senior Senator from North Dakota [Mr. NYE]. I transfer the pair to the junior

Senator from Mississippi [Mr. EASTLAND], and allow my vote to stand.

Mr. HILL. I announce that the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Rhode Island [Mr. GERRY and Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from California [Mr. DOWNEY], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], the Senator from New York [Mr. WAGNER], the Senator from Washington [Mr. WALLGREN], and the Senator from Massachusetts [Mr. WALSH] are detained on public business.

The Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent.

Mr. WHERRY. I announce the necessary absence of the Senator from Pennsylvania [Mr. DAVIS] on official business. He has a pair with the Senator from Kentucky [Mr. CHANDLER].

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The following Senators are necessarily absent:

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from South Dakota [Mr. GURNEY], the Senator from New Jersey [Mr. HAWKES], the Senator from Oregon [Mr. HOLMAN], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NYE], the Senator from Ohio [Mr. TAFT], the Senator from Idaho [Mr. THOMAS], and the Senator from Iowa [Mr. WILSON].

The result was announced—yeas 30, nays 28, as follows:

#### YEAS—30

Aiken	Hatch	Mead
Andrews	Hayden	O'Mahoney
Bankhead	Hill	Radcliffe
Barkley	Jackson	Reynolds
Caraway	Johnson, Colo.	Russell
Chavez	Kilgore	Scruggam
Connally	Langer	Stewart
Cordon	McCarran	Thomas, Okla.
George	McClellan	Thomas, Utah
Gillette	McKellar	Tunnell

#### NAYS—28

Austin	Danaher	Shipstead
Ball	Ferguson	Vandenberg
Brewster	Johnson, Calif.	Walsh, N. J.
Bridges	Maloney	Weeks
Buck	Maybank	Wherry
Burton	Millikin	White
Bushfield	O'Daniel	Wiley
Byrd	Reed	Willis
Capper	Revercomb	
Clark, Mo.	Robertson	

#### NOT VOTING—38

Bailey	Green	Pepper
Bilbo	Guffey	Smith
Bone	Gurney	Taft
Brooks	Hawkes	Thomas, Idaho
Butler	Holman	Tobey
Chandler	La Follette	Truman
Clark, Idaho	Lucas	Tydings
Davis	McFarland	Wagner
Downey	Moore	Wallgren
Eastland	Murdoch	Walsh, Mass.
Ellender	Murray	Wheeler
Gerry	Nye	Wilson
Glass	Overtown	

So the amendment as amended was agreed to.

Mr. CONNALLY. Mr. President, I offer an amendment which I will ask to have stated at the desk. This identical amendment was adopted by the Senate in 1940 as an amendment to the highway bill, and I understand there is no objection to it.

The VICE PRESIDENT. The amendment will be stated.

Mr. MAYBANK. Mr. President, I wish to move to reconsider the last yeas-and-nay vote which was taken.

The VICE PRESIDENT. The Senator from Texas has the floor.

Mr. MAYBANK. I move to reconsider the vote which was just taken.

Mr. McCLELLAN. I move to lay that motion on the table.

Mr. CONNALLY. Mr. President, I yield if there is to be no debate.

Mr. MAYBANK. I merely move to reconsider the vote just taken on the amendment of the Senator from Arkansas [Mr. McCLELLAN].

Mr. McCLELLAN. I move to lay that motion on the table.

Mr. BRIDGES. I ask for the yeas and nays on the motion.

The VICE PRESIDENT. The Senator from South Carolina, not having voted on the prevailing side, does not have the right to make the motion.

Mr. CONNALLY. Mr. President, under the circumstances I think I shall refuse to yield further. I ask that the amendment offered by me be stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 13, after line 17, it is proposed to insert the following:

SEC. 13. The term "highway" as defined by the Federal Highway Act shall not be deemed to include any bridges hereafter to be constructed if located within 5 miles of an existing toll bridge, unless a reasonable offer is made to acquire the facilities of such toll bridge and such offer has not been accepted, and unless a finding as to the reasonableness of said offer, the failure of acceptance and the percentage of amortization of such toll bridge has been made after public hearing by the Federal Works Administrator: *Provided*, That such finding by the Federal Works Administrator shall not be subject to review.

Mr. HAYDEN. Mr. President, the text of that amendment is identical with the text of an amendment offered by the late Senator from Texas, Mr. Sheppard, when the Senate last had the highway bill under consideration. The amendment was considered by the committee at that time and recommended. So far as I am concerned, I am willing to take the amendment to conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

Mr. VANDENBERG. Mr. President, earlier in the afternoon an amendment on page 2, after line 5, was adopted, with very few Senators present, and the action was taken by voice vote. I refer to the amendment which eliminates the cost of rights-of-way from the urban program which is contemplated by the pending bill. The able junior Senator from Michigan [Mr. FERGUSON] fully presented the case. I simply assert that in my own view there is little or no sense in providing for an urban program except that the costs of rights-of-way may be included.

I do not want to reargue the question, but, in view of the very great importance of the matter to the larger cities of the country—and I am thinking in particular of the instance of Detroit at the moment—I am going to take the liberty of asking unanimous consent to reconsider the vote by which the amendment was adopted, simply for the purpose of asking for a ye-a-and-nay vote in respect to action upon it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

Mr. RUSSELL. Mr. President, I do not object to having a ye-a-and-nay vote and having the matter decided, but it seems to me that we might take the record vote on the motion to reconsider and arrive at the same conclusion.

Mr. VANDENBERG. I am perfectly willing to proceed in that fashion.

Mr. RUSSELL. Mr. President, I wish to say a few words on the question involved.

This matter has been considered by the committee, and the committee has recommended that the authorization for the use of Federal funds to purchase rights-of-way be eliminated from the bill. I think the committee's action was wise. I do not wish to belabor the question, but I do desire to point out again, Mr. President, that in all Federal aid legislation up to this good hour it has been required of the sponsor of the project and the beneficiary of the Federal funds that such sponsor acquire the rights-of-way. There is a very substantial reason for this. We all know that the local community, the county or the city, can acquire a right-of-way, when it appeals to the civic obligation of the owner, for one-half of what it will cost the Federal Government.

If we open up the question of rights-of-way, and provide that the Federal Treasury shall bear the costs of the acquisition, we will be opening up a Pandora's box which will plague us in the future, and will cost millions of dollars, which will be expended unnecessarily in the years to come.

We have required the States and the local communities to acquire the lands before we would build airfields, and we should properly have done so, because they can get the land for much less than the Federal Government can buy it. We have always required all sponsors under public works projects to finance the cost

of the acquisition of the land, and since the creation of the Bureau of Public Roads that has been required before the Federal Government would contribute Federal funds for the improvement of highways.

As practical men, we all know that if we go into condemnation proceedings, and a county has to pay for land, the jurors are going to scrutinize the case with great care. Go into a city condemnation, and if the city taxpayers have to pay for the land, they will return a verdict of less than what they will give if they know that the Federal Government is contributing to the acquisition of land. In such a case the defendant will be urging that the land is worth \$300, and the plaintiff will say it is worth a hundred. The defendant's attorney will say, "Why, of course, this land is worth \$300. Did not the Federal Government take cognizance of the value of all these lands by appropriating \$125,000,000, which can be expended here to buy these rights-of-way?" There will be but one verdict in the case. The jurors will return a verdict for just what the individual fixes as the value of his land, if we are to let the Federal Government go into the business of acquiring rights-of-way, in addition to building the roads.

In my opinion the cities come with very poor grace asking the Federal Government to buy buildings and to buy lands for the building of public streets through the cities of this Nation. I have heard the argument about the cities contributing to the gas taxes, but as I undertook to point out when this matter was up a few minutes ago, the cities are the ones who benefit from the building of the highways wherever they are built. It is something new to give the cities \$125,000,000 out of Federal funds for the building of streets. If the motion shall prevail, we will not only give them \$125,000,000 for the building of streets, but we will provide that the Federal Government is going to buy the streets and then pay for building them. We have never done this in the past for any county, we have never done it in the past in all the Federal-aid system, but the cities are coming in and not only demanding \$125,000,000, to which I do not think they are entitled, but are saying that the Federal Government should buy the lands for the streets of the cities.

Mr. McKELLAR. Mr. President, the argument was made a little earlier in the afternoon that the \$125,000,000 will not be used. Let me say that, in my judgment, if this \$125,000,000 appropriated by the Government should not be used, it would be about the first appropriation ever made by the Government that was not used. It will be used. In my judgment, every dollar of it will be used, and will be used for a good purpose, under the terms of the bill.

Mr. RUSSELL. Certainly we do not wish now to deviate from a policy to which we have adhered strictly in every public-works program we have ever had; that is, requiring the sponsors of a project to acquire the necessary lands.

The cities should be well satisfied with this \$125,000,000 to pave city streets, be-

cause it is the first time we have ever made an appropriation for this purpose, without asking Congress to pay for all the damages to the properties adjacent to the rights-of-way and also acquire the lands for the rights-of-ways.

The VICE PRESIDENT. The Chair would ask the Senator from Michigan whether his motion to reconsider included only the amendment on line 4, or whether he included also that amendment on lines 5 and 6.

Mr. VANDENBERG. I take it we can have a test vote. I have moved to reconsider, and I ask for the yeas and nays. The yeas and nays were ordered.

Mr. FERGUSON. Mr. President, I should like to say a few words on this particular amendment. It is the opinion of the highway department that if we do not include, insofar as the urban districts are concerned, a part of the cost of the rights-of-way—and the pending bill, if the test vote shall be taken and this provision is allowed to remain in, would provide for payment up to 50 percent—we will to a great extent nullify the appropriation to the large urban areas.

I should like here to read the definition of the term "urban area," because this is what it would mean in relation to such an area:

The term "urban area" means an area including and adjacent to a municipality or other urban place, of 5,000 or more, as shown by the latest available Federal census. The boundaries of urban areas, as defined herein, will be fixed by the State highway department of each State subject to the approval of the Public Roads Administration.

I wish to return to the proposition of who is to pay the \$450,000,000 we are now proposing to appropriate. It is said we are now collecting from the automobile owners and the users of automobiles \$650,000,000 a year. The large urban centers, where the proposed law is to apply, are paying a great amount of the \$650,000,000, and if we do not pay for the costs of the rights-of-way, then, so far as the urban areas are concerned, we are not paying on a 50-50 basis, because as part of the cost of a highway a great sum is always necessary for condemnation and widening, and the necessary and limited access, let us call it, to the highway that is essential. So it comes down to this, that, so far as the urban areas are concerned, Congress is to say to them, "You put up 80 to 90 percent and we will put up 10 to 20 percent," but we come to the rural sections, we say, "We will put up 50 or 55 percent if any widening is necessary." The amount is so small that it does not enter into the actual cost of the highway.

Again I say that to be fair with the urban areas, which are helping to pay for this large road construction, we should change this and should provide that 50 percent of the cost of condemnation shall be paid by the Federal Government. Then we would be doing something for the large urban areas, which have supported the war effort, and worn out their roads so that America might be defended.

Mr. SHIPSTEAD. If the Senator will yield, does he mean that this amendment



would involve an additional 50 percent on the urban areas?

Mr. FERGUSON. No; it would merely come out of the \$125,000,000 that is appropriated.

Mr. SHIPSTEAD. For what?

Mr. FERGUSON. For urban areas. In the bill \$125,000,000 per annum is appropriated for urban areas, which I have described.

Mr. SHIPSTEAD. For the purposes the Senator has outlined?

Mr. FERGUSON. Yes. If we took out the rights-of-way, provided that no part of the money could be used for rights-of-way, then we would be saying to the cities, "You can only use it for paving purposes, or building up roads," and the States which desire to put these roads through the city would say, "We cannot put up the money for condemnation, and therefore we cannot use the appropriation."

Mr. SHIPSTEAD. By force of circumstances the cities, the large urban centers, have had the greatest share of all this Federal-State fund program, because they have had the most roads, and the country district roads and the rural mail routes have been very much neglected.

Mr. FERGUSON. Up until today the cities have had no part of this appropriation.

Mr. SHIPSTEAD. But they have had it in their approaches.

Mr. FERGUSON. It must be outside the corporate limits.

Mr. SHIPSTEAD. Perhaps it has been.

Mr. FERGUSON. But here we are giving to the rural areas, which I very much favor, \$125,000,000, which matches what is done for the urban areas.

Mr. SHIPSTEAD. The Senator means to say that the regular fund of 50-50 is not disturbed by this provision.

Mr. FERGUSON. That is true.

Mr. BUSHFIELD. Mr. President, during the debate this afternoon I asked the question of the Senator from Arizona [Mr. HAYDEN] upon what highways or streets this \$125,000,000 could be used. The Senator answered, "Only on the Federal-aid highways which now run through the cities," or so I understood him to say. I suppose that also includes new highways which might be run through a city. At the present time every large city in the United States has Federal highways running through it. The Government has taken part in the building of all those highways to a certain width. I am wondering now what this \$125,000,000 is going to be used for in urban areas? Most of the highways there are already built. Are we going to pave the whole width of the streets in those cities?

In that connection, Mr. President, I read last night a survey made of the great State of Michigan, and the city of Detroit, which 10 years ago spent about \$60,000,000, as I recall, for its streets and city lighting; last year spent \$5,000,000; and I have been wondering how Detroit would keep up its streets if someone did not provide help.

Mr. RUSSELL. Mr. President, I understood the Senator from Michigan [Mr. FERGUSON] to say that this related

only to the purchase of rights-of-way in the cities. Am I correct in my understanding?

Mr. FERGUSON. No.

Mr. RUSSELL. I wish to point out that if Senators vote "yea" to reconsider the vote by which the amendment on page 2 was agreed to, they not only place the Federal Government in the business of buying rights-of-way in the cities, but they place the Government in the business of buying rights-of-way for rural roads. I do not think the Senate wants to do that, because it is an absolute reversal of the policy we have always adhered to. If Senators vote to reconsider, it means that Senators vote for Federal funds to be used to acquire rights-of-way on all the other Federal-aid projects. It will be necessary to adopt the same rule to the airfields and to all Federal projects. In my opinion it will result in an absolutely unnecessary waste of Federal funds.

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, in connection with the various discussions which have just taken place, a telegram which I received today from J. S. Williamson, chief highway commissioner of South Carolina, which in short sets forth South Carolina's financial status in connection with the pending issue.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

COLUMBIA, S. C., September 15, 1944.  
Senator BURNET R. MAYBANK,

United States Senate:

Understand S. 2105 up for consideration in Senate today. Please use your influence toward getting this bill passed without reducing the amount. South Carolina can match its portion.

J. S. WILLIAMSON,  
Chief Highway Commissioner.

Mr. FERGUSON. Mr. President, I have in mind that if the motion to reconsider the vote by which the amendment was agreed to should prevail, and if the Senate were then to allow the provision with respect to cost of rights-of-way to remain in the bill, I shall offer an amendment, on page 2, line 4, after the words "cost of rights-of-way" to insert "in urban areas", and then in line 6, after the words "include costs of rights-of-way", to insert the words "except in urban areas", which answers the question asked by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, it does answer the question, but it certainly does not remove my objection. I would prefer to have the provision apply to all items rather than to confine it to urban areas. Certainly I am not going to agree to a proposal which would in effect say to our counties, "We will not give you a dime to apply on the cost of rights-of-way, but we will give the city of Detroit \$12,000,000 with which to buy rights-of-way."

Mr. FERGUSON. I am glad to hear the Senator say that it is his judgment that if this provision should apply to any it should apply to all.

Mr. BUCK. Mr. President, in support of the contention made by the Senator

from Georgia [Mr. RUSSELL] that to provide Federal funds for the purchase of rights-of-way will lead to excessive costs, I should like to read from the RECORD of yesterday some figures with respect to the purchase of rights-of-way for the Pentagon Building. For one property assessed at \$8,200 the Government paid \$41,000. For another property assessed at \$32,680 the Government paid \$225,000. For another property assessed at \$26,000 the Government paid \$216,000. Getting down into smaller figures, we find one assessed at \$7,900 for which the Congress paid \$31,500. And so it goes all through the list. I think that bears out the Senator's contention very well.

Mr. RUSSELL. I thank the Senator from Delaware for bringing that out, and if Senators wish to multiply that expense by three hundred or four hundred times all over the United States, then Senators should vote to reconsider the vote by which the amendment was agreed to, and include the deleted language in the bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Michigan [Mr. VANDENBERG] to reconsider the vote by which the committee amendment in the first paragraph on page 2 was agreed to. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEWART (when his name was called). Making the same announcement as before, I will vote. I vote "nay."

The roll call was concluded.

Mr. HAYDEN. I have a general pair with the senior Senator from North Dakota [Mr. NYE]. I transfer that pair to the junior Senator from Mississippi [Mr. EASTLAND], and will vote. I vote "nay."

Mr. HILL. I announce that the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Missouri [Mr. CLARK], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Rhode Island [Mr. GERRY and Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENBER], the Senator from Nevada [Mr. SCRUGHAM], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from California [Mr. DOWNEY], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], the Senator from New York [Mr. WAGNER], the Senator from Washington [Mr. WALLGREN], and the Senator from Massachusetts [Mr. WALSH] are detained on public business.

The Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent.

Mr. WHERRY. I announce the necessary absence of the Senator from Pennsylvania [Mr. DAVIS] on official business. He has a pair with the Senator from Kentucky [Mr. CHANDLER].

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The following Senators are necessarily absent:

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from South Dakota [Mr. GURNEY], the Senator from New Jersey [Mr. HAWKES], the Senator from Oregon [Mr. HOLMAN], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NYE], the Senator from Ohio [Mr. TAFT], the Senator from Idaho [Mr. THOMAS], and the Senator from Iowa [Mr. WILSON].

The Senator from Nebraska [Mr. BUTLER] would vote "nay," if present.

The result was announced—yeas 8, nays 47, as follows:

## YEAS—8

Bridges	Langer	Weeks
Cordon	Reed	White
Ferguson	Vandenberg	

## NAYS—47

Alken	George	O'Daniel
Andrews	Gillette	O'Mahoney
Austin	Hatch	Radcliffe
Ball	Hayden	Revercomb
Bankhead	Hill	Reynolds
Barkley	Jackson	Robertson
Brewster	Johnson, Calif.	Russell
Buck	Johnson, Colo.	Stewart
Burton	Kilgore	Thomas, Okla.
Bushfield	McCarran	Thomas, Utah
Byrd	McClellan	Tunnell
Capper	McKellar	Walsh, N. J.
Caraway	Maloney	Wherry
Chavez	Maybank	Wiley
Connally	Mead	Willis
Danaher	Millikin	

## NOT VOTING—41

Bailey	Green	Scrugham
Bilbo	Guffey	Shipstead
Bone	Gurney	Smith
Brooks	Hawkes	Taft
Butler	Holman	Thomas, Idaho
Chandler	La Follette	Tobey
Clark, Idaho	Lucas	Truman
Clark, Mo.	McFarland	Tydings
Davis	Moore	Wagner
Downey	Murdoch	Wallgren
Eastland	Murray	Walsh, Mass.
Ellender	Nye	Wheeler
Gerry	Overton	Wilson
Glass	Pepper	

So Mr. VANDENBERG's motion to reconsider was rejected.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment.

Mr. BUSHFIELD. Mr. President, I offer an amendment on page 4, in subsection (b), line 11, after the word "population" to insert "Provided, That such secondary roads shall be constructed under plans and specifications approved by the highway department, in cooperation with the county supervisors, county commissioners, or other appropriate local road officials for each particular State."

Mr. President, the bill proposes to appropriate \$125,000,000 for secondary roads. In many States no secondary roads have been built, for the sole reason that farm-to-market roads of the high type of construction demanded by the Public Roads Administration cannot be built, and our State has never built any

of them. Many other States are in the same situation.

I wish to pay my respects to the very distinguished and able Senator from Tennessee [Mr. MCKELLAR], who commented upon this matter a little while ago. I love him like a father, and I like to agree with him in most of the things he proposes. In fact, I love every hair of his clever head.

Mr. MCKELLAR. Mr. President, what did the Senator say?

Mr. BUSHFIELD. I said that I love every hair of the Senator's clever head.

Mr. MCKELLAR. I thank the Senator. I am very glad I asked the question.

Mr. BUSHFIELD. I said some other things.

Mr. MCKELLAR. Of course the Senator did not mean the other things. [Laughter].

Mr. BUSHFIELD. Mr. President, the opinion has been stated on this floor that I am proposing to take away from the Public Roads Administration jurisdiction or supervision over Federal appropriations for highways. I intend nothing of the kind; I had no such thought in mind, and I do not believe the language of this amendment, which is a combination of my amendment and the one submitted by the junior Senator from Tennessee [Mr. STEWART] can be so construed. I invite the attention of the Senate to the fact that the provision of the amendment is that secondary roads shall be constructed under plans and specifications approved by the State highway departments, county commissioners, or other local road officials. That refers only to the preparation of the plans. It does not refer to the expenditure of the money. The Federal Public Roads Administration can still supervise the construction of the roads, and approve or reject them as it sees fit; but they must be constructed under plans prepared and approved by local agencies. The reason for that is that the people in the various States do not all want the same kind of roads. My people, living upon the farms of South Dakota, are satisfied at the present time with gravel roads from their farms to markets. Only in the urban areas are hard-surfaced roads demanded. We do not need them. We want all-weather roads, and I believe that we should have the right to decide that question for ourselves, without the Public Roads Administration dictating to us that we must have roads built according to the specifications for State highways, which require a 100-foot right-of-way and a 30-foot strip of completed highway with a hard surface upon it, either oil or concrete. We do not want that type of road for our farmers. We want a road over which we can get through the mud. Therefore I urge that the combination of the amendment of the Senator from Tennessee [Mr. STEWART] and my amendment be adopted.

Mr. STEWART. Mr. President, I should like to add a word to what the Senator from South Dakota has said with respect to the amendment which he has offered.

It is not my purpose to take anything away from the Public Roads Administration. I believe that it has done a great

job. It is doing excellent work, and I believe that its personnel is entirely high class. However, the Senator from South Dakota and I are trying to emphasize the need for farm-to-market roads at reasonable cost. I introduced a bill on this subject in November of last year, a rather comprehensive bill, which had the approval of several county highway organizations, and I believe also of the National Road Builders' Association, or the county division of that association. I have had approving letters with respect to it from numerous States, and county highway departments of various States.

I do not believe that the amendment would take away from the Public Roads Administration any authority in connection with the construction of roads. I presume that it could refuse to contribute its part on any reasonable ground which might be presented. However, I am told by the county highway authorities interested in the construction of that type of cheap road that in the past it has been impossible to build farm-to-market roads because the requirements and specifications of the Public Roads Administration have been entirely too high, and have made the cost prohibitive.

That is the practical situation with which we are confronted. As I view the question, it is a practical matter. There is no personal feeling against the Public Roads Administration, or against any individual. I wish to see a permanent type of farm-to-market road built, if it is possible to build it on a cheap basis. I think it is a responsibility which the Congress owes to the farmers of the Nation to make it possible for them to bring their products to market. I am in favor of this amendment because I think it is fair. Certainly there is no purpose, on the part of either the Senator from South Dakota or myself, to take away from the contributing authority, the Federal Government, any right it may have in connection with the construction of roads, except with relation to the question of specifications.

I think that the community which seeks to have the road constructed, and which also would contribute a portion of the cost, should be permitted to specify the type of road it desires to have built and the amount of money it is willing to contribute to the cost of the road. I think that is a practical proposition.

Mr. HAYDEN. Mr. President, I regret that I cannot see my way clear to accept the amendment. Federal money is involved. A road which is built according to specifications which result in the construction of a road which is worth the money and which will last long enough to pay out the investment in the course of its use is a well-designed road, and should be built that way. No one would insist that a farm-to-market road or other secondary road should be built with a base similar to that required for a road carrying heavy traffic. But no one would agree to have such a road be merely a dirt road.

I took up with Mr. MacDonald, the Commissioner of Public Roads, the charge that it was the fault of the Public Roads Administration that hereto-



fore it has been impossible to obtain what are termed reasonable specifications. I have received from Mr. MacDonald a letter which I shall read into the RECORD. I think it is well to have this discussion, regardless of whether the amendment is agreed to, because now, for the first time, we have a substantial amount, namely, \$125,000,000, which is proposed to be appropriated for this particular purpose. Heretofore the amount of money has been very small, and the funds have been scattered among all the States. I think the cause of the difficulty has been, not the fact that the money has come from Washington, but the fact that the State highway departments have not wished to bother to change their specifications.

The letter I have received from Mr. MacDonald, and which I wish to read to the Senate, is as follows:

FEDERAL WORKS AGENCY,  
PUBLIC ROADS ADMINISTRATION,  
Washington, September 9, 1944.

Hon. CARL HAYDEN,  
United States Senate.

MY DEAR SENATOR HAYDEN: You recently advised me that representations had reached you that the Public Roads Administration had required unreasonable or unnecessary construction on secondary roads.

These are absolute misrepresentations. The specific requirements on individual projects, in the past, have been left very largely for the determination of the States in co-operation with our field engineers. The types constructed have ranged from graded roads with sand-clay, gravel, or other local surfacing material, up to higher types.

On the limited mileage of important secondary roads thus far constructed under Federal aid secondary appropriations we issued instructions that the design requirements for alignment and grade should be consistent with the topography and the purpose to be served by the improvement; with due regard to the cost of the work, the amount and kind of traffic to be handled, and to the cost of yearly maintenance. The minimum graded width out to out of shoulders has varied from 20 to 26 feet.

Abbreviated plans have been accepted when the character of the improvement has so warranted, the governing requirement being that they be in sufficient detail to show the quantity and kind of work involved.

The enclosed references to memoranda will give you more detailed information on the very general guiding instructions issued in 1937, 1939, and 1940.

Very truly yours,

THOS. H. MACDONALD,  
Commissioner of Public Roads.

Mr. President, I ask unanimous consent to have the data referred to in the letter printed in the RECORD.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

MAY 17, 1940.

General Administrative Memorandum No. 102 (superseding General Administrative Memorandum No. 66).

Subject: Width and capacity of bridges on Federal-aid secondary highway projects.

To facilitate the planning of Federal-aid secondary highway projects and to avoid possible delay as a result of lack of agreement between the several States and field representatives of Public Roads regarding acceptable roadway width and capacity of (1) new bridges, (2) existing bridges which are to be reconstructed, and (3) bridges to be retained in place, all within the limits of proposed sec-

ondary projects, it is desirable to outline a policy on these subjects.

The speed of traffic on secondary highways is determined largely by the character of the highway alignment and the width and type of the roadway surface, and under favorable conditions may be fully as great as the speed of traffic on main highways. While traffic safety is dependent upon a number of factors, bridges that are inadequate as to strength for prospective loads and as to width for the speed and character of traffic served, constitute definite hazards.

The following policy shall obtain for bridges on secondary or feeder roads:

1. New bridges: Roadway width: Preferably not less than 24 feet between curbs for highway design speeds in excess of 30 miles per hour and for maximum traffic densities in excess of 30 vehicles per hour. Minimum acceptable width for these highway classifications, 22 feet between curbs. For highway design speeds of 30 miles per hour or less and for maximum traffic densities less than 30 vehicles per hour, minimum acceptable width 20 feet between curbs. Single lane bridges will be considered only under exceptional conditions when the maximum expected traffic density is in the neighborhood of 5 vehicles per hour. Capacity: Preferably not less than H 15 loading: Minimum acceptable not less than H 10 loading on roads not expected to be subject to heavy loads.

2. Existing bridges which are to be reconstructed with Federal aid: Same requirements as for new bridges.

3. Bridges to be retained in place: Existing bridges of lesser width than indicated for new bridges for the respective highway classifications that have an anticipated life of a number of years and a load-carrying capacity of not less than 6 tons, or strengthened to this capacity without Federal funds may be retained in place, provided they are posted for the indicated load limits and that the highway alignment approaching such bridges affords visibility of approach conditions for a sufficient distance to permit the stopping of vehicles at the speed at which the road ordinarily will be used and that reflectorized buttons are installed at the ends of bridges of less than 20-foot roadway in addition to advance reflectorized signs to warn traffic of the approach to such bridges. Federal funds may not be used for the strengthening of any existing bridge having a roadway width less than would be acceptable for reconstruction.

THOS. H. MACDONALD,  
Commissioner.

#### STANDARDS FOR FEDERAL-AID SECONDARY HIGHWAY IMPROVEMENTS WHICH HAVE BEEN ISSUED BY THE PUBLIC ROADS ADMINISTRATION

Under date of February 12, 1937, a memorandum was issued to district engineers which includes the following provisions concerning design requirements:

"The design requirements for alignment and grade for secondary or feeder roads shall be consistent with the topography and the purpose to be served by the improvement. The minimum graded width of roadbed from out to out of shoulders shall be not less than 26 feet in easy topography; not less than 24 feet in rolling topography; and not less than 20 feet in mountainous topography, with a greater width than the 20-foot minimum on through fills. Where roadbed slopes are flattened to 3 or 4 to 1 the minimum graded width in easy topography may be reduced to 24 feet. Abbreviated plans may be accepted when the character of the improvement warrants, provided they are in sufficient detail to show the quantity and kind of work involved."

The following is quoted from the regulations approved by the Secretary of Agriculture January 13, 1939, section 11.3, paragraph (c):

"No projects shall be undertaken which do not provide for a surfacing or stabilization of the roadbed which shall be reasonably satisfactory for the traffic served. Grading and drainage as first stage construction may be accepted: *Provided*, The State Highway Department will enter into a satisfactory agreement for future surfacing or stabilization of the road bed."

Under date of May 17, 1940, General Administrative Memorandum No. 102 was issued on the subject Width and Capacity of Bridges on Federal-Aid Secondary Projects.

Mr. HAYDEN. Mr. President, I do not think we will have any trouble about this matter. I think it was based on a situation in which a small amount of money was available, and in which the State highway departments have said that it did not amount to anything, and that they would approve their own specifications for some important secondary roads.

This is the first time we have gotten down to providing a considerable sum of money for the farm-to-market roads. Under the supervision of Mr. MacDonald, I think the money will be handled wisely. However, I do not think it would be wise to provide that specifications which might result in the wasting of Federal funds could be permitted.

Mr. President, I ask for the yeas and nays on the amendment.

Mr. BUSHFIELD. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota. On this question the yeas and nays have been demanded? Is there a sufficient second?

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota. [Putting the question.] The yeas appear to have it.

Mr. BRIDGES. I ask for a division. On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MALONEY. Mr. President, I desire to offer the following amendment: On page 6, line 7, strike out the period after the word "census" and insert a colon and the following language: "Provided, That Connecticut towns shall be considered municipalities regardless of their incorporated status."

Mr. HAYDEN. Mr. President, there is a peculiar condition in the State of Connecticut with respect to what constitutes a town. It differs from the condition in any other State. I shall be very glad to accept the amendment.

The PRESIDING OFFICER. Is there objection to agreeing to the amendment of the Senator from Connecticut?

Mr. MALONEY. Mr. President, before action is taken on the amendment, I should like to say, because of something which has just happened, that when I originally proposed the amendment, the words "New England" were used rather than the word "Connecticut." In the committee there was objection on the part of two New England States, not to the amendment, but to having those States covered under the amendment,

because of a fear that it might confuse things there.

Now it has been suggested to me by the able junior Senator from Vermont [Mr. AIKEN] that he might like to have Vermont included.

Mr. AIKEN. Mr. President, I think Vermont towns have the same status as towns in Connecticut, and I think Vermont towns should also be included. I would feel much better if my colleague the senior Senator from Vermont [Mr. AUSTIN] were here to corroborate that. I admit that I should know at once.

Mr. HAYDEN. Let me say that the committee was told that in Maine great townships are called towns. However, that is a different matter, and the amendment would not apply to the State of Maine.

The junior Senator from Massachusetts [Mr. WEEKS] also objected to it.

Mr. AIKEN. A town in Vermont is a township.

Mr. HAYDEN. That is what makes the trouble. But that is not true in Connecticut.

Mr. AIKEN. Is it true that in Connecticut a town does not include the whole township?

Mr. MALONEY. We have what people in other States might call a rather complicated system.

When the amendment was first proposed, I could not understand how it would do harm to any New England States. It was proposed following consultation between the highway commissioner of my State and the Bureau of the Census in Washington.

I would respectfully suggest to the Senator from Vermont that he ask that Vermont be included under the amendment. I would be willing to accept such a modification of my amendment. Then, if it is subsequently found that Vermont should not be included, the name of Vermont could be removed from the amendment in conference, if there is a conference.

Mr. HAYDEN. That will be satisfactory.

Mr. AIKEN. Mr. President, I am very grateful to the Senator from Connecticut for his suggestion. I think the amendment should be applicable to Vermont, but I am not sure. Therefore, I ask that Vermont be included, with the right to request that it not be included, when the matter is in conference, if it is found that it should not be included.

Mr. MALONEY. Mr. President, I so change my amendment.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from Connecticut.

The amendment as modified was agreed to.

Mr. DANAHER subsequently said: Mr. President, while amendments offered by my colleague were under consideration I several times sought recognition. I wish particularly to ask unanimous consent that there be inserted in the body of the RECORD at the point where we had under consideration his first amendment, a letter from Governor Baldwin sent to me, transmitting a copy of the Governor's letter to the Senator from Arizona

[Mr. HAYDEN], and I ask that it appear in the RECORD at that point.

The PRESIDING OFFICER. Without objection, the letter will be printed in the body of the RECORD at the point requested by the Senator from Connecticut.

The letter is as follows:

STATE OF CONNECTICUT,  
EXECUTIVE CHAMBERS,  
Hartford, September 11, 1944.

Hon. JOHN A. DANAHER,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR DANAHER: I am enclosing herewith a copy of a letter which I have written to the Honorable CARL HAYDEN, United States Senator, concerning his bill, S. 2105 regarding post-war highway construction.

Very sincerely yours,

RAYMOND E. BALDWIN,  
Governor.

SEPTEMBER 11, 1944.

Hon. CARL HAYDEN,  
United States Senator,  
Washington, D. C.

MY DEAR SENATOR: I am informed that in a conference on September 8 between you and Mr. Edward W. Staves, especially representing Governor Saltonstall of Massachusetts but authorized to speak for Connecticut as well, there was some discussion of the provisions in your bill, S. 2105, as they apply to the "urban" population of Connecticut; and that through Mr. Staves you have invited me to present our situation to you and to suggest a means of meeting it.

Throughout New England there is a strong tendency for us to cling to the "town" as the active elementary unit of government. Consequently in all of the New England States there are unincorporated communities which are urban in fact but which maintain the same ancient form of government that exists in towns which are wholly rural. In Massachusetts, and perhaps in other New England States, there are no political subdivisions within towns—the town is absolutely the basic unit. In these States, it is the practice of the Census Bureau to classify all towns as urban places if their population exceeds 2,000.

Connecticut, however, differs from Massachusetts in that, with us, while the town is prevaillingly the basic unit it is not invariably so. We have a comparatively small number of towns within which there have been set up unincorporated boroughs or cities. Because of this incorporation of smaller areas within these towns, the Census Bureau does not consider an unincorporated town in Connecticut as having an urban population unless it has a total population exceeding 2,500 persons and also a population density over the entire area of the town that exceeds 1,000 persons per square mile. Four towns in the State meet both of these requirements and are classed as urban even though they are neither incorporated nor include incorporated areas within their borders.

On the other hand we have within the State 25 towns with populations exceeding 5,000 each and totaling nearly 300,000, most of which population is urban in fact, but which is classed by the Census Bureau as not being urban because the average population density over the entire town areas does not equal 1,000 persons per square mile. Many of these towns—for example, Greenwich with a population of 35,509, Hamden with a population of 23,373, and Manchester with a population of 23,799—are areas that present us with very acute traffic problems. Greenwich is the extreme case. Across that town, which is a bottleneck between New York and New England, it is estimated by the highway department that there will soon be need of the construction of a four-lane or six-lane expressway at a cost of substantially \$10,000,000. In both Hamden and Man-

chester, and indeed in most of the 25 towns listed, money must be spent in enormous amounts for the relief of urban traffic congestion. If these towns were outside of New England, without doubt the communities in them would have been incorporated. Were they in our neighboring State of Massachusetts, they would be classed as urban regardless of their unincorporated status.

This is a situation which has been discussed by our highway commissioner with Chairman ROBINSON of the House of Representatives Committee on Roads, as it was discussed with you by Mr. Staves. Apparently it is the intent of neither the House nor the Senate bill to discriminate against us because of the unfortunate peculiarity of our political structure. I understand that both you and Mr. ROBINSON have stated that the language in your bills is designed to meet this situation, and that if it does not meet it, you are eager to correct the deficiency.

Apparently the language does not meet the situation. From a discussion we have had with authorities of the Census Bureau, and from the urban allocation as tabulated on page 3 of your report to the Senate on S. 2105, it appears that the apportionment of urban funds, under existing wording of the bill, will not recognize the nearly 300,000 persons in Connecticut who live in unincorporated towns with populations of 5,000 or more.

Solution of this problem has been discussed informally at considerable length with officials of the Census Bureau. From such discussions we have the understanding that in order to correct the situation, a provision somewhat as follows would have to be added to section 4, paragraph (b), of your bill:

"Provided, That New England towns shall be considered municipalities regardless of their incorporated status."

I hope it will be possible to amend your bill in that way.

Sincerely yours,

R. BALDWIN,  
Governor.

Mr. MALONEY. Mr. President, I offer a further amendment: On page 5, line 14, strike out the period after the word "act" and insert a comma and the words "Provided, That no State shall receive less than an apportionment equal to six-tenths of the percentage of the Federal gasoline tax collected in the State, as measured by the total net amount taxed value in Public Roads Administration Statistical Report G-2 for 1941."

Mr. President, I shall at least briefly explain the amendment, although it almost explains itself. I am asking that in this bill a floor shall be placed relative to the allocations made to States. For my State and for three or four other States—not more than four—which would be favorably affected, I ask that we receive, in return for our gasoline-tax money, at least 60 percent of that money.

Mr. HAYDEN. What are the four States, let me ask the Senator?

Mr. MALONEY. As a matter of fact, I am informed that there are a total of five States. It would affect the States of New York, New Jersey, Connecticut, California, and Ohio. I have just obtained that information from the distinguished Senator from New Jersey. New Jersey is very much interested in this amendment. I had been informed that the State of Michigan was favorably affected, Mr. President, and I think that somewhere I have the figures as they were presented to me.



Mr. HAYDEN. Let me suggest that I can understand how it would affect California and I can understand how it would affect New Jersey, because in each of those States there are large oil refineries. The gasoline tax is paid at the source. If there were refineries in the State as there are in New Jersey and California, the amount of the gas tax collected by the Federal Government in the State would be large. The gas may or may not be consumed within the State—using California as an illustration—but distributed in other States. It seems to me that it would be very unfair to allow credit for a tax collected in the State of Virginia upon the sale of cigarettes when cigarettes are smoked all over the United States.

In all other apportionments of money, the amounts have been based on known facts which affected the entire United States. We took as a basis the area of the State, or the population of the State as determined by the census, or the road mileage of the State. I may say that this relates merely to a report made in 1941 called Road Statistical Administration Report G-2. Perhaps report G-2 for 1940 would establish something else, and report G-2 for 1944 would establish still another basis. I do not know what is contained in the report. Under the circumstances, I do not feel that it would be wise for the Senate to agree to the amendment.

Mr. MALONEY. Mr. President, I have my own figures before me at the present time. I cannot be sure they are more accurate than those presented to me by the able Senator from New Jersey. But in answer to the able Senator in charge of the bill, I am able to say that the difference in the case of California, to which the Senator specifically referred, is in an increase of \$3,450,000. In the case of Massachusetts there would be a favorable difference of \$2,345,000. In the case of New Jersey there would be a favorable difference of \$3,802,000. According to my figures the States which I have mentioned are the only ones which would be affected. The State of Connecticut would have an increase of \$1,534,000.

For the purpose of my statement I should like to base my argument upon figures which I have presented myself, rather than upon those handed to me by the Senator from New Jersey. My figures were compiled by the highway commissioner of the State of Connecticut. On the basis of the compilation, it does not seem to me that the facts expressed by the able Senator in charge of the bill are justifiable. It does not seem to me that the refineries would come into the situation.

Mr. President, I have always doubted the wisdom of our procedure with regard to road bills. They have always brought about intense controversy. Those of us who come from the part of the country in which I live have long felt—and as a Member of the House a number of years ago I tried to do something about it—that we have been discriminated against. Argument has been heard here that this proposal is primarily a measure intended to overcome unemployment after the war. It could not come further from

such an objective, Mr. President. The dollars allocated for each motor vehicle would, under this bill, give to the State of Nevada, for example, \$331. My State, about which I know the most, would receive \$21. Under the proposal, the dollars per demobilized person would be \$16.50 for the State of Nevada. I use the State of Nevada as an example only because it heads the list. The proposal would provide \$35 per demobilized person for the highly industrialized State of Connecticut, which is actually leading as the Nation's wartime arsenal. On that basis, Mr. President, the bill does not make sense. It is not a bill designed to overcome unemployment after the war. If it were, the situation would be reversed.

Mr. President, while the pending bill would provide approximate justice to the States which I have named, it would not provide complete justice. It would not discriminate harshly against any State; it would not discriminate at all.

I am not asking for complete justice, Mr. President. I am asking only for an approach to fairness. Under my amendment no State would lose very much. The heavily industrialized States, the States with a heavy traffic situation, and the States threatened more than others with serious unemployment after the war, if there is to be unemployment, should be given the small bit of consideration which is proposed by my amendment. I am very hopeful, Mr. President, that the Senate will be willing to accept this mild and modest amendment, which comes a little closer to fairness for the four States which I have mentioned.

I do not know whether the Senator from Arizona has asked me to yield to him.

Mr. HAYDEN. No. I merely suggest that we cannot give money to four or five States without taking it away from all the other States.

Mr. MALONEY. Yes, indeed; and I said that. I would be very glad to tell the Senator what the difference would be. In the Senator's own State of Arizona which would receive an appropriation under this bill of \$6,886,000, the State would lose \$200,000, which is an insignificant amount. That would be comparable to what would happen in the other States. Every Senator is most concerned with regard to his own State, and is interested in its proper protection. However, I cannot believe there are Senators who would wish an extra special consideration to be given their States at the expense of other States. It would require only a small amount from the subsidies of 44 States to bring up to a nearly reasonable amount the funds which would be allocated to the four States which I have mentioned. I can not believe the Senate will reject that kind of an amendment.

Mr. President, on my amendment I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. MALONEY. Mr. President, I ask for a division.

Mr. CLARK of Missouri. Mr. President, before the vote is taken I wish to make a few observations with respect to the subsidies to which the Senator from Connecticut has referred.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. CLARK of Missouri. I do not have any prejudice against the State of Connecticut. As a matter of fact, my own family lived in Connecticut for four generations before the Revolutionary War. I live in Missouri. I believe the Senator from Connecticut referred to subsidies. I believe the State of Connecticut has had enough in the way of subsidies through the establishment of war production industries to last it for a long time.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. MALONEY. I should like to point out to the Senator from Missouri that the factories and industries to which he has referred were in existence in Connecticut for centuries; that they were not special plants established in Connecticut; but that we carried on as we had been carrying on for many years. Our position as a war-industry State did not start in this war, but started before the Revolutionary War. We did not ask for any plants and did not ask for any additional industries. Although a few have come to us, it may develop that they have come to the detriment of my State. I expressed that feeling to the War and Navy Departments before we were forced into this war.

Mr. CLARK of Missouri. Mr. President, I think that was a very unfortunate situation for the United States. When we got into war I was personally the head of a committee composed of all the Senators from the Mississippi Valley, who went to the various departments which had to do with the establishment of the war agencies, and they told us that there was a concerted effort on the part of heads of corporations which had plants on the Atlantic seacoast, who were very unwilling to remove them, although everybody agreed that both for strategic and tactical reasons it would be much better to locate them in the Middle West. The Senator who now occupies the Chair (Mr. GILLETTE) knows that statement to be true, because he went with me in connection with those matters.

Mr. President, I had no purpose at this time to enter into a dispute as to where these wartime production agencies should have been created; I shall do that at a later time. But this is not a war production bill. This happens to be a highway bill.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. MALONEY. It has been described to us on many occasions as an unemployment measure, too. While I am on my feet, I should like to say to the Senator, because of his reference to subsidies, that all I have asked is 60 percent of what we pay, and we are willing to give the other 40 percent as a subsidy to States which are in this instance a little less fortunate than my own.

Mr. CLARK of Missouri. Mr. President, I have had many arguments on this floor with the distinguished Senator from North Carolina [Mr. BAILEY], one of the greatest Senators who has ever sat in this body, and he tells occasionally how much the State of North Carolina pays into the Treasury. If we examine the figures, we find that they relate to a tobacco tax, which we in Missouri also pay, and which citizens of Maine pay, and someone else pays in Montana, and someone else pays in Iowa, and someone else pays in California. So the contribution about which the Senator from Connecticut is talking now is not a contribution from Connecticut, it is a contribution from the United States.

Mr. MALONEY. Will the Senator yield further?

Mr. CLARK of Missouri. I am glad to yield.

Mr. MALONEY. The Senator is not quite correct. I entirely share the view he holds as to the cigarette tax in North Carolina.

Mr. CLARK of Missouri. And it is paid in Connecticut.

Mr. MALONEY. I shall come to Connecticut. For a great many years I have been among those criticizing opponents of my political party in my State because they attempted to persuade the people of the State at election time that we were paying more taxes than our share. I have resisted that argument during all the years. We have never paid more than our share. The man in Connecticut pays the same tax as does the man in Arizona. I thoroughly understand that. But the argument is made in connection with the pending bill that the money is provided by the automobile owner, by the man who pays automobile taxes, by the man who pays gasoline taxes, and we do pay more of such taxes than does Arizona, and all we want is 60 percent of our share back. There is no relationship between the argument which I made and that made by the distinguished Senator from Missouri.

Mr. HAYDEN. Mr. President, will the Senator from Missouri yield to me?

Mr. CLARK of Missouri. I yield.

Mr. HAYDEN. I think it is hardly fair to compare the automobile registration of Connecticut with the automobile registration of Nevada or Arizona, because the highways which have been built across Arizona and Nevada are just a land bridge to get to the great Pacific coast, and the use of those highways primarily is by people from Connecticut and other parts of the United States who are transcontinental travelers. That is why we built the roads.

Mr. MALONEY. Will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.

Mr. MALONEY. I quite agree. I have traveled over those roads. I have been very appreciative of them, and I do not ask that the program be destroyed. I ask that we try to be fair about the matter. The State of Nevada, under the pending bill, would get \$5,837,000. All I ask is that the State of Nevada, and other States in proportion, take off \$187,000 of that five million plus and put it in a place where the bill will be permitted

to do what it is allegedly designed to do, that is, to take care of traffic conditions, and to do the other things the sponsors of the bill argue they are trying to do. I am not asking for an equal division, I am not asking 100 percent of what the automobilists of my State pay. I want to get a floor for them. I want to get 60 percent, under the arguments made by the sponsors of the bill.

Mr. CLARK of Missouri. Mr. President, I cannot hope to equal the Senator from Connecticut either in eloquence or violence. All I say is that when he begins to talk about the actual contributions of the various States, he is getting on an entirely different subject, he is getting on to a subject which the senior Senator from North Carolina and I have frequently debated in this body, as to who pays the taxes. When the Senator from Connecticut says that the benefits should be apportioned on the basis of the contribution, I say he is getting on exactly the same ground the Senator from North Carolina and I have frequently covered on this floor, as to who pays the taxes.

We are on an entirely different subject now. We are on the subject whether it is beneficial for the people of the United States to have a great highway system, available for military purposes, post-road purposes, for every other purpose, even civilian purposes of travel. If every State is going to reserve to itself the right to have a kick-back in proportion to its gasoline sales, or on any other basis, it means the ruination of the whole system. The only justification for such a bill as this is that we shall have a great national highway system on which any citizen in the United States can be perfectly free to travel at any time he desires. If we begin to put up State restrictions, State kick-backs, we will ruin the program. I represent one of the largest States in the Union numerically, and a very large State in area. I am interested in having highways go across that State and go up and down the State. I am not at all interested in exactly how much we "kick in" the Federal pot which will make those highways possible. I am interested in having highways. The Senator who occupies the chair represents a great State, one of the greatest States in the Union. He is interested in having highways across his State, going north and south throughout the State.

The proposition of the Senator from Connecticut, as I understand it, is to restrict the construction of a Federal highway system to the contributions made by individual States, and I do not believe that if that principle is to be adopted there is any justification for the bill at all.

Mr. MALONEY. Mr. President, everyone here knows I am devoted to the distinguished Senator from Missouri, and I am never happy when I am in conflict with his views; but I do not think he clearly understands my position, and I assume that is my fault. I am not asking for a "kick-back." I want to give to the Federal Government 40 percent more than we get, because I want Connecticut to make a proper contribution to the Federal highway system of which the Senator speaks. I wish to contribute to

the bridge across the Nevada desert, to which the distinguished manager of the bill, the Senator from Arizona [Mr. HAYDEN], refers. But it does not seem right to me that some of the States of the Union should get 300 and 400 and 500 percent and more than what they themselves contribute by way of gasoline taxes.

The gasoline taxes collected from the people of the State of Connecticut are tremendous, and that State, too, is in a sense a bridge over which the rest of the people of the country cross as they go down into the other beautiful States of New England. Our traffic is tremendously heavy. We are in need of additional highways now, part of which needs are brought about by the very heavy travel of people from some other States. I cannot understand how anyone thinks the suggestion is unreasonable when all that is asked here is that we get 60 percent of the money paid for gasoline taxes by the people within the State of Connecticut. No one will say that it is a harsh proposal insofar as the other 44 States are concerned. I do not ask for a division. Again I use Nevada as an illustration because it is the No. 1 State on the list. It is all right with me that Nevada gets 500 percent of what it pays in gasoline taxes. But at the same time I must insist with all the strength I have that my own State get 60 percent of what it pays.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. CLARK of Missouri. I had the experience of driving over the roads of the State of Mississippi a few years ago at a time when the State had probably the worst roads of any State in the Union. I had just come out of the hospital suffering from an abscess, and was not strong enough to change a tire which needed to be changed. I had to sit alongside the road until someone came along to change a tire for me. A few years ago I had the pleasure of driving down there again, and in the meantime from her gravel roads Mississippi had changed into the very finest system of roads in the United States. I do not know exactly what it cost me, but I would have been very glad if I had been privileged to make a contribution to improve those roads in a national system of highways.

I feel the same way about Connecticut and about Missouri and about every other State. I think the highway system ought to be a national system. I think it is a matter of national taxation. I do not think there is any reason for saying that 60 percent of the fund should be raised by Connecticut. I have no idea at the moment as to what contribution Missouri makes. The Senator has the figures on his desk. But if we are going to have a national system of highways I think there should be a State contribution up to the limit of the State's ability. I do not see any reason, however, why we should say that Connecticut or New Jersey or Missouri should be earmarked and have 60 percent or 70 percent or 50 percent or any other particular figure earmarked for them.



The Senator has indicated—which I did not know before—that this proposal affects only five States. I do not see why five States should be earmarked. I think if we are to pass this bill at all, it ought to be passed on the basis of a national necessity.

Mr. MALONEY. Mr. President, I should like to point out to the Senator that these States are not earmarked. A little later Missouri might be in the same category. It just happens that these States would come under this formula now.

Mr. CLARK of Missouri. It would not make the slightest difference to me if Missouri were affected.

Mr. MALONEY. In this respect, Mr. President, I do not think that anyone with whom I have served here regards me as a partisan Senator. I have never asked for special favors for my own State. I have been concerned with legislation on a national basis. It seems to me that the bill in its present form is in many respects unfair, and I am trying in one instance to bring it closer to fairness.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. CLARK of Missouri. The Senator certainly knows that there is no one in the State who has a higher regard for his disinterestedness and his patriotism and great ability than I have. I simply disagree with him on this particular matter.

Mr. MALONEY. I am fearful that there may be others who have a warm spot in their hearts for what at the moment are the favored States of other parts of the country, but I feel compelled to do what I can to afford, as nearly as possible, proper protection for my State. I do not ask for special consideration, or for anything unfair, nor do I think I ask for more than my State is entitled to.

Mr. President, it is obvious we cannot have a record vote, and I ask for a standing vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut on page 5, line 14. A division has been asked for.

On a division the amendment was rejected.

Mr. McCARRAN. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 7, line 10, it is proposed to strike out the words "on highways of the respective classes" and insert in lieu thereof the words "until hazards are eliminated."

Mr. McCARRAN. Mr. President, this matter has been discussed between the senior Senator from Nevada and the Commissioner of Public Roads, and also between myself and the Senator from Arizona [Mr. HAYDEN], and I am hopeful that the Senator will at least take the amendment to conference, because it has the approbation of the Commissioner of Public Roads.

Mr. HAYDEN. The effect of the amendment is, as I understand it, that at the present time 10 percent of the

secondary roads money could be used for elimination of highway hazards on secondary roads, 10 percent of the Federal-aid money could be used for similar purposes on Federal-aid roads, and 10 percent of the money available for urban use could be used for similar purposes in that way. The Senator's suggestion is that the money be used in that way until the hazards are removed, and the Senator wants to strike out the words "on highways of the respective classes." That would enable the hazards to be removed anywhere, and not be confined to the separate segments.

Mr. McCARRAN. That is correct.

Mr. HAYDEN. I can see no harm in that. We can take the amendment to conference at least.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

Mr. DANAHER. Mr. President, with reference to the second amendment which my colleague offered, I took no part in the debate because of the magnificent presentation he had made with reference to the entire matter. Under no circumstances would I wish any comment of mine to have any impingement upon the splendid presentation which the Senate heard. It is a matter of regret to me that the action has been taken adversely to the representations made by my colleague.

We have been told in reference to this measure that it is designed to aid the prospective unemployment in the post-war period, at least that suggestion has been offered as one of the grounds upon which we should adopt the measure.

Obviously, if it were to deal in terms of unemployment, it should have some relation to the expectancy of unemployment in terms of the localities in which industrial displacements will occur. Viewed in that light, Mr. President, it is perfectly preposterous to ascertain, as the bill provides, the standards which have been created, without regard to their effect on unemployment. We could ask no more clarifying evidence of the dislocation of the bill on that basis than is to be found in an exhibit which I have before me, and which has been submitted to me by the Commissioner of Highways in the State of Connecticut. If we are talking about appropriations, in terms of dollars per demobilized person in the respective States, it will be found that under the bill Nevada would receive \$584, and Connecticut would receive \$18. Had the amendment offered by my colleague been adopted, Nevada would have received \$566, and Connecticut would have received \$23. While we are groping for some standard, the difference would at least reasonably take into account the situation, without causing distress to Nevada and without causing adverse impact to the State of Connecticut, in that Connecticut would have been advantaged reasonably, pro rata, according to the number of demobilized persons, by a sum sufficient to aid in the road program there.

If we are talking in terms of improving the highway system, and in terms of the

amount of traffic, it is reasonable to judge by the number of automobiles per State. On that basis, Mr. President, under the terms of the bill Nevada would receive \$117, while Connecticut would receive \$11. Under the language of the amendment offered by my colleague Nevada would have received \$113, and Connecticut would have received \$13.

Mr. President, I ask unanimous consent that both of the tables to which I have made reference be inserted in the body of the Record at this point as a part of my remarks.

There being no objection, the tables were ordered to be printed in the Record, as follows:

*Dollars per motor vehicle*  
S. 2105, AS WRITTEN

1. Nevada	117
2. Wyoming	62
3. New Mexico	58
4. Montana	47
5. Arizona	46
6. Utah	38
7. North Dakota	36
8. South Dakota	36
9. Idaho	34
10. Delaware	32
11. Mississippi	30
12. Arkansas	29
13. Alabama	28
14. Colorado	26
15. Georgia	25
16. Vermont	25
17. Nebraska	24
18. Tennessee	23
19. Kansas	21
20. Kentucky	21
21. Louisiana	21
22. Maine	21
23. New Hampshire	21
24. Oklahoma	21
25. North Carolina	20
26. Oregon	20
27. Rhode Island	20
28. Missouri	19
29. Texas	19
30. New York	18
31. South Carolina	18
32. Virginia	18
33. West Virginia	18
34. Massachusetts	17
35. Minnesota	17
36. Florida	16
37. Illinois	16
38. Iowa	16
39. Pennsylvania	15
40. Washington	15
41. Wisconsin	15
42. Indiana	14
43. Ohio	14
44. Michigan	13
45. Maryland	13
46. New Jersey	12
47. Connecticut	11
48. California	10

S. 2105, IF AMENDED

1. Nevada	113
2. Wyoming	60
3. New Mexico	56
4. Montana	46
5. Arizona	45
6. Utah	36
7. North Dakota	35
8. South Dakota	35
9. Idaho	33
10. Delaware	32
11. Mississippi	29
12. Arkansas	28
13. Alabama	27
14. Colorado	25
15. Vermont	25
16. Georgia	24
17. Nebraska	23
18. Tennessee	23
19. Kansas	21

20. Louisiana	21
21. Maine	21
22. New Hampshire	21
23. Kentucky	20
24. Massachusetts	20
25. Oklahoma	20
26. Oregon	20
27. Rhode Island	20
28. North Carolina	19
29. Texas	19
30. Missouri	18
31. New York	18
32. South Carolina	18
33. Virginia	18
34. West Virginia	18
35. Minnesota	17
36. Florida	16
37. Illinois	16
38. Iowa	16
39. New Jersey	16
40. Pennsylvania	15
41. Washington	15
42. Wisconsin	15
43. Indiana	14
44. Ohio	14
45. Connecticut	13
46. Maryland	13
47. Michigan	13
48. California	12

## Dollars per demobilized person

## S. 2105, AS WRITTEN

1. Nevada	584
2. Wyoming	323
3. Montana	246
4. New Mexico	226
5. Arizona	209
6. South Dakota	190
7. North Dakota	177
8. Idaho	173
9. Utah	107
10. Nebraska	104
11. Colorado	103
12. Vermont	96
13. Minnesota	74
14. Delaware	72
15. Iowa	71
16. Oregon	68
17. Arkansas	64
18. Oklahoma	64
19. Texas	63
20. New Hampshire	62
21. Kansas	60
22. Mississippi	60
23. Florida	58
24. Maine	57
25. Georgia	56
26. Kentucky	54
27. North Carolina	54
28. South Carolina	53
29. Missouri	52
30. Tennessee	52
31. Louisiana	45
32. Wisconsin	45
33. Alabama	44
34. Rhode Island	43
35. Virginia	40
36. West Virginia	40
37. New York	37
38. Illinois	36
39. Massachusetts	34
40. Washington	34
41. Indiana	30
42. Ohio	30
43. California	29
44. Pennsylvania	29
45. New Jersey	24
46. Maryland	22
47. Michigan	21
48. Connecticut	18

## S. 2105, IF AMENDED

1. Nevada	566
2. Wyoming	313
3. Montana	238
4. New Mexico	219
5. Arizona	203
6. South Dakota	185
7. North Dakota	171
8. Idaho	169
9. Utah	104

10. Nebraska	101
11. Colorado	100
12. Vermont	96
13. Delaware	72
14. Minnesota	72
15. Iowa	69
16. Oregon	66
17. Oklahoma	63
18. Arkansas	62
19. New Hampshire	62
20. Texas	62
21. Mississippi	59
22. Kansas	58
23. Florida	57
24. Maine	56
25. Georgia	55
26. Kentucky	52
27. North Carolina	52
28. Missouri	51
29. South Carolina	51
30. Tennessee	51
31. Louisiana	44
32. Wisconsin	44
33. Alabama	43
34. Rhode Island	43
35. Virginia	39
36. West Virginia	39
37. Massachusetts	38
38. Illinois	36
39. New York	36
40. Washington	34
41. California	33
42. Indiana	30
43. New Jersey	30
44. Ohio	29
45. Pennsylvania	29
46. Connecticut	23
47. Maryland	22
48. Michigan	21

Mr. DANAHER. As the bill now stands, Mr. President, in view of the rejection by the Senate of the second of the amendments offered by my colleague, I most certainly will not vote for the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2105) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc., That, when used in this act, unless the context indicates otherwise—*

The term "construction" means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping, and elimination of hazards at railway-grade crossings, but does not include costs of rights-of-way.

The terms "urban area" means an area including and adjacent to a municipality or other urban place, of 5,000 or more, as shown by the latest available Federal census. The boundaries of urban areas, as defined herein, will be fixed by the State highway department of each State subject to the approval of the Public Roads Administration.

The term "rural areas" means all areas of the State not included in "urban areas."

The term "secondary and feeder roads" means roads in rural areas, including farm-to-market roads, rural-mail routes, and school-bus routes, and not on the Federal-aid system.

Sec. 2. For the purpose of carrying out the provisions of the Federal Highway Act, approved November 9, 1921, as amended and supplemented, there is hereby authorized to be appropriated the sum of \$1,350,000,000 to become available at the rate of \$450,000,000 a year for each of 3 successive post-war fiscal years: *Provided*, That of the sum authorized to be appropriated for the first of such fiscal

years \$100,000,000 may be appropriated to become available immediately upon apportionment of the authorization for said fiscal year for the making of surveys and plans and for construction: *Provided further*, That except for the sum appropriated pursuant to the preceding proviso, no part of the funds made available pursuant to this act shall be used to pay costs incurred under any construction contract entered into by any State before the beginning of the first post-war fiscal year. The first post-war fiscal year shall be that fiscal year which ends on June 30 following the termination of the present war emergency, or as otherwise directed by the Congress. The authorization for the first post-war fiscal year shall be apportioned among the States within 30 days from the passage of this act. The authorizations for the second and third post-war fiscal years shall be apportioned among the States not later than January 1 next preceding the beginning of each such fiscal year. As soon as the funds for each of the post-war fiscal years have been apportioned, the Commissioner of Public Roads is authorized to enter into agreements with the State highway departments for the making of surveys and plans and the post-war construction of projects for such year. His approval of any such agreement shall be a contractual obligation of the Federal Government for the payment of its pro rata share of the cost of construction.

Sec. 3. The sum authorized in section 2 for each year shall be available for expenditures as follows:

(a) \$200,000,000 for projects on the Federal-aid highway system.

(b) \$125,000,000 for projects on the principal secondary and feeder roads, including farm-to-market roads, rural free delivery mail and public-school bus routes, either outside of municipalities or inside of municipalities of less than five thousand population: *Provided*, That these funds shall be expended on a system of such roads selected by the State highway departments in cooperation with the county supervisors, county commissioners, or other appropriate local road officials and the Commissioner of Public Roads: *Provided further*, That in any State having a population density of more than two hundred per square mile, as shown by the latest available Federal census, the said system may be selected without regard to included municipal boundaries: *Provided further*, That any of such funds for secondary and feeder roads which are apportioned to a State in which all public roads and highways are under the control and supervision of the State highway department may, if the State highway department and the Commissioner of Public Roads jointly agree that such funds are not needed for secondary and feeder roads, be expended for projects in such State on the Federal-aid highway system.

(c) \$125,000,000 for projects on the Federal-aid highway system in urban areas.

Sec. 4. After making the deductions for administration, research, and investigations as provided in section 21 of the Federal Highway Act of 1921, the sums authorized shall be apportioned as follows:

(a) The \$200,000,000 per year available for projects on the Federal-aid highway system shall be apportioned among the States as provided in section 21 of the Federal Highway Act.

(b) The \$125,000,000 per year available for projects on the secondary and feeder roads shall be apportioned among the States in the following manner: One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the rural population of each State bears to the total rural population of all the States, as shown by the Federal census of 1940; and one-third in the ratio which the mileage of rural delivery and star routes in each State bears to the total mileage of



rural delivery and star routes in all the States.

(c) The \$125,000,000 per year available for projects on highways in urban areas shall be apportioned among the States in the ratio which the population in municipalities and other urban places, of five thousand or more, in each State bears to the total population in municipalities and other urban places, of five thousand or more, in all the States as shown by the latest available Federal census: *Provided*, That Connecticut and Vermont towns shall be considered municipalities regardless of their incorporated status.

(d) As used in this section the term "State" includes the District of Columbia and the Territories of Hawaii and Puerto Rico.

(e) Any sums apportioned to any State under the provisions of this section shall be available for expenditure in that State for 2 years after the date of apportionment, and any amount so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds shall be deemed to have been expended if covered by formal agreement with the Commissioner of Public Roads for the improvement of a specific project as provided by this act.

SEC. 5. (a) The Federal share payable on account of any project provided for by the funds made available by this act shall not exceed 50 percent of the construction cost thereof: *Provided*, That in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein the Federal share shall be increased in each of the 3 post-war years by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area: *Provided further*, That not less than 10 percent of any sums apportioned to any State for projects on the Federal-aid highway system, for projects on secondary and feeder roads, and for projects in urban areas shall be available for projects for the elimination of hazards of highway-railway crossings until hazards are eliminated: *And provided further*, That any part of the construction cost of projects for the elimination of hazards of railway-highway crossings, except the part of such cost which is paid by the railway or railways involved may be paid from Federal funds: *Provided further*, That no Federal funds shall be expended on any such project unless the railway or railways involved pay not less than 15 percent of the construction cost of such project.

(b) If within any of the three post-war fiscal years referred to in this act the Federal Works Administrator shall find with respect to any State (1) that the proceeds of all special taxes on motor-vehicle transportation, as referred to in section 12 of the act of June 18, 1934 (48 Stat. 995), as amended, are applied to highway purposes as defined in said section; (2) that 100 percent of such proceeds are applied to the administrative and operating expenses of the State highway department, the maintenance of the State and Federal-aid highway systems, and the payment of interest on, and the amortization of, bond obligations of the State for the payment of which such revenues have been continuously pledged since January 1, 1942; (3) that the rate of none of such taxes has been reduced after September 1, 1944; and (4) that the portion of the proceeds of all such special taxes then available for construction, together with funds available to the State from any other sources for highway purposes, will be insufficient to match all, or any part, of the funds apportioned to such State for such fiscal years in accordance with the provisions of this act,

then such portion of such apportionment as the Federal Works Administrator shall find the State is unable to match shall be made available for expenditure in such State in accordance with the Federal Highway Act, as amended and supplemented, without being matched by the State. Any finding made by the Federal Works Administrator under this subsection shall be made by him only after a full and complete investigation of the facts and records upon which such findings is based.

SEC. 6. If the Commissioner of Public Roads shall determine that it is necessary for the expeditious completion of projects undertaken pursuant to this act, he may advance to any State from funds heretofore or hereafter made available the Federal share of the cost thereof to enable the State highway department to make prompt payments for work as it progresses. The funds so advanced shall be deposited in a special trust account by the State treasurer, or other State official authorized under the laws of the State to receive Federal-aid highway funds, to be disbursed solely upon vouchers approved by the State highway department for work actually performed in accordance with plans, specifications, and estimates approved by the Public Roads Administration under the provisions of this act. Any unexpended balances of funds so advanced shall be returned to the credit of the appropriation from which funds have been advanced.

SEC. 7. There shall be designated within the continental United States a System of Interregional Highways not exceeding 40,000 miles in total extent so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense, and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico. The routes of the System of Interregional Highways shall be selected by joint action of the State highway departments of each State and the adjoining States, as provided by the Federal Highway Act of November 9, 1921, for the selection of the Federal-aid system. All highways or routes included in the System of Interregional Highways as finally approved, if not already included in the Federal-aid highway system, shall be added to said system without regard to any mileage limitation.

SEC. 8. With the approval of the Federal Works Administrator, not to exceed 1½ percent of the amount apportioned for any year to any State under the Federal Highway Act as amended and supplemented, except sections 3 and 23 thereof shall hereafter be used with or without State funds for surveys, plans, engineering, and economic investigations of projects for future construction in such State, on the Federal-aid highway system and extensions thereof within municipalities, on secondary or feeder roads, urban highway or grade-crossing eliminations, and for highway research necessary in connection therewith.

SEC. 9. For the purpose of carrying out the provisions of section 23 of the Federal Highway Act (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of \$25,000,000 for the first post-war year and a like amount for each of the second and third post-war years; and (2) for forest development roads and trails the sum of \$12,500,000 for the first post-war year and a like amount for each of the second and third post-war years: *Provided*, That the apportionment for forest highways in Alaska shall be for each year \$1,500,000 and that such additional amount as otherwise would have been apportioned to Alaska for each of said years shall be apportioned among those States, including Puerto Rico, whose forest highway apportionment for such year other-

wise would be less than 1 percent of the entire apportionment for forest highways for that year.

SEC. 10. (a) For the construction, reconstruction, improvement, and maintenance of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$12,750,000 to become available at the rate of \$4,250,000 a year for each 3 successive post-war years.

(b) For the construction and maintenance of parkways, to give access to national parks and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of \$15,000,000 to become available at the rate of \$5,000,000 a year for each 3 successive post-war years.

SEC. 11. The Commissioner of Public Roads is authorized, notwithstanding the provisions of any other law, to cooperate with the State highway departments and any Federal agency in the location, development, construction, and maintenance of flight strips adjacent to public highways, after approval of the location by the Civil Aeronautics Administration, in order to insure greater safety for traffic on the public highways by providing additional facilities to be available for the landing and take-off of aircraft. When requested by the State highway department, funds authorized by this act are hereby made available, in addition to any funds that may be available under any other appropriation, for carrying out the provisions of this section and for paying all or any part of the necessary construction costs incurred therefor. Federal highway funds shall not be used for the reconstruction or relocation of any highway giving access to a flight strip or airport, or for the reconstruction or relocation of any highway which has been or may be closed or the usefulness of which has been or may be impaired by the location or construction of any flight strip or airport, unless the officials in charge have first concurred with the State highway department and the Public Roads Administration in the location of such flight strip or airport.

SEC. 12. On any highway or street hereafter constructed with Federal aid in any State, the form and character of informational, regulatory and warning signs, curb, and pavement or other markings, and traffic signals installed or placed by any public authority, or other agency, shall be subject to a standard code approved by the State highway department with the concurrence of the Commissioner of Public Roads.

SEC. 13. The term "highway" as defined by the Federal Highway Act shall not be deemed to include any bridges hereafter to be constructed if located within 5 miles of an existing toll bridge, unless a reasonable offer is made to acquire the facilities of such toll bridge and such offer has not been accepted, and unless a finding as to the reasonableness of said offer, the failure of acceptance, and the percentage of amortization of such toll bridge has been made after public hearing by the Federal Works Administrator: *Provided*, That such finding by the Federal Works Administrator shall not be subject to review.

SEC. 14. This act may be cited as the "Federal-Aid Highway Act of 1944."

The title was amended so as to read: "A bill to amend and supplement the Federal-Aid Road Act, approved July 11,

1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad-grade crossings, to provide for the immediate preparation of plans, and for other purposes."

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a table showing the apportionment of funds among the several States, as the bill provides.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Approximate apportionment of \$450,000,000, Federal-aid highway system—sec. 21 of Federal Highway Act, Farm to Market Roads—one-third area, one-third rural population, one-third post roads—urban highways—population of urban places of 5,000 or more*  
[Thousands of dollars]

State	Federal-aid highway system	Farm to market roads	Urban highways	Total
Alabama.....	4,187	3,109	1,310	8,606
Arizona.....	2,873	1,863	264	5,000
Arkansas.....	3,427	2,586	561	6,574
California.....	8,010	4,298	8,166	20,474
Colorado.....	3,593	2,267	939	6,799
Connecticut.....	1,241	639	1,985	3,865
Delaware.....	975	609	205	1,789
Florida.....	2,873	1,804	1,608	6,285
Georgia.....	5,020	3,591	1,631	10,242
Idaho.....	2,472	1,621	213	4,306
Illinois.....	7,874	3,974	9,562	21,410
Indiana.....	4,803	3,021	3,082	10,909
Iowa.....	4,962	3,325	1,601	9,888
Kansas.....	5,087	3,315	1,113	9,465
Kentucky.....	3,734	2,836	1,307	7,877
Louisiana.....	2,987	2,098	1,540	6,625
Maine.....	1,732	1,170	564	3,466
Maryland.....	1,628	976	1,800	4,404
Massachusetts.....	2,615	655	6,649	9,919
Michigan.....	6,076	3,446	5,713	15,235
Minnesota.....	5,381	3,475	2,218	11,074
Mississippi.....	3,591	2,778	603	6,972
Missouri.....	5,922	3,803	3,168	12,893
Montana.....	4,041	2,589	309	6,939
Nebraska.....	3,982	2,635	787	7,404
Nevada.....	2,551	1,602	61	4,214
New Hampshire.....	975	609	478	2,062
New Jersey.....	2,546	868	5,558	8,972
New Mexico.....	3,229	2,096	259	5,584
New York.....	9,636	3,563	18,878	32,077
North Carolina.....	4,822	3,706	1,501	10,029
North Dakota.....	2,982	2,014	216	5,212
Ohio.....	7,026	3,881	7,551	18,458
Oklahoma.....	4,517	3,109	1,356	8,982
Oregon.....	3,315	2,121	815	6,251
Pennsylvania.....	8,172	4,396	10,574	23,142
Rhode Island.....	975	609	1,129	2,713
South Carolina.....	2,709	2,068	658	5,435
South Dakota.....	3,159	2,065	223	5,447
Tennessee.....	4,587	3,056	1,602	8,995
Texas.....	12,666	8,364	4,488	25,518
Utah.....	2,250	1,405	436	4,091
Vermont.....	975	609	187	1,771
Virginia.....	3,656	2,659	1,499	7,814
Washington.....	3,148	1,993	1,475	6,621
West Virginia.....	2,196	1,732	812	4,740
Wisconsin.....	4,814	3,057	2,669	10,540
Wyoming.....	2,488	1,583	134	4,205
Hawaii.....	975	609	395	1,980
District of Columbia.....	975	609	1,153	2,737
Puerto Rico.....	987	644	839	2,770
Reserved for administration and engineering.....	5,000	3,125	3,125	11,250
Total.....	200,000	125,000	125,000	450,000

#### NORTH DAKOTA SENATORIAL PRIMARY—NOTICE OF SPEECH BY SENATOR LANGER

Mr. LANGER. Mr. President, on last Tuesday the senior Senator from North Dakota [Mr. Nye] made certain statements on the floor of the Senate. At that time I stated that I would reply within a short time. I now give notice that on next Tuesday, which I understand will be the first day the Senate will

be in session after the recess, I expect to reply to his statements.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. GILLETTE in the chair) laid before the Senate a message from the President of the United States submitting sundry nominations in the Navy, which was referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH of New Jersey, from the Committee on Commerce:

Several employees of the Coast and Geodetic Survey to be junior hydrographic and geodetic engineers with rank of lieutenant (junior grade) in the Coast and Geodetic Survey.

By Mr. CLARK of Missouri, from the Committee on Commerce:

Theodore P. Wright, of the District of Columbia, to be Administrator of the Civil Aeronautics Administration, vice Charles I. Stanton, resigned.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

#### RECORDER OF DEEDS FOR THE DISTRICT OF COLUMBIA—REPORT

Mr. WALSH of New Jersey. Mr. President, from the Committee on the District of Columbia, I report favorably the nomination of Marshall L. Shepard to be Recorder of Deeds for the District of Columbia.

Mr. BRIDGES. Mr. President, I do not know the parliamentary procedure in connection with a matter of this kind, but I wish to point out for the benefit of the Senate, first, that there has been no meeting of the Committee on the District of Columbia in connection with this nomination. For nearly 8 years I have been a member of that committee. Many times nominees of the President have appeared before either the full committee or a subcommittee, and committee members have had an opportunity to question them to determine their qualifications and their fitness. On other nominations the committee members have had at least a chance to look over their record. This is the first time, to my knowledge, that we have seen an attempt made to railroad through a nomination. It is plainly politics.

Mr. President, there has been no meeting of the committee in connection with this nomination, so I ask the distinguished Senator just how he makes a favorable report.

Mr. WALSH of New Jersey. Mr. President, I was officially delegated by the chairman of the Committee on the District of Columbia [Mr. BLISS] to report favorably this nomination, after he had polled the committee and received proxies from the majority of the members.

Since the chairman wrote to me, I have been informed that the distinguished Senator from Nevada [Mr. McCARRAN] has also added his approval to the nomination.

I should also like to say that I do not believe that the Senator from Mississippi could possibly obtain a patent on his procedure in polling the committee. It certainly is not unique. Of course, the distinguished Senator from New Hampshire is much more familiar than I am with the rules, procedures, and policies of the Senate. However, in the few months I have been a Member of the Senate I have been polled a great many times in connection with bills and nominations. Again and again I have seen them reported after such a polling procedure was followed; and I think it would be unfortunate if we were to decide at this time to change the rules in connection with the nomination of Marshall Shepard.

Mr. CLARK of Missouri. Mr. President—

Mr. BRIDGES. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. BRIDGES. Mr. President, in this connection let me say that the chairman of the committee made no attempt to call a meeting of the full committee. Neither did he, so far as I know, delegate to any member of the majority the authority to call a committee meeting. This nomination is being put through at this time for purely political purposes. The nominee is a Negro from Philadelphia, who has been appointed to this position in the District of Columbia.

To begin with, I believe that the position should go to a Negro from the District of Columbia. However, if we are to appoint someone from outside the District, from Pennsylvania or some other State, at least we should have an opportunity to pass upon his fitness and qualifications. The appointment should not be rammed down the throats of the people of the District of Columbia merely to help Roosevelt attempt to carry the Negro vote in some of the States. That is the plain issue. We cannot dodge it.

Mr. CLARK of Missouri. Mr. President, I know nothing whatever about this nominee. Personally I recommended another man for the job. The vacancy was caused by the death of a constituent of mine from Missouri. I recommended another citizen of Missouri to fill the vacancy.

When the Senator from New Hampshire tears passion to tatters over the practice of polling Senate committees, he is perfectly within his rights under the rules, because the rules do not specifically authorize the polling of committees. However, it is a precedent which has been followed in the Senate for at least a hundred years.

Without any reference to this particular case, from the Committee on Commerce today I reported the nomination of an extremely important officer, the Administrator of Air Commerce, after a poll of the subcommittee. I had held the matter in abeyance for some time,



because of the absence of the Senator from Nevada [Mr. McCARRAN] who had asked that the matter be held up until he returned to the city.

Having talked to all other Senators on the subcommittee, and having authority to report directly to the Senate, when the Senator from Nevada today gave his approval of the nomination, I without hesitation reported it.

Now the Senator from New Hampshire is attempting to make a political issue of something which has been a Senate practice for over 100 years, namely, the practice of polling committees. I do not undertake to say whether it is right or wrong. I take the law as I find it. I have polled many committees of which I have been chairman, and at times among the membership of those committees the Senator from New Hampshire himself has been included. When it is easier to poll a committee than to assemble the committee, it has long been the practice of the Senate to obtain on the nomination report the initials or signatures of various members of the committee, and to take that as the ground for making the report.

I recall that when the Senator from North Carolina [Mr. BAILEY] became chairman of the Committee on Commerce, he appointed a subcommittee headed by the present distinguished minority leader, the Senator from Maine [Mr. WHITE], and including the distinguished senior Senator from Louisiana [Mr. OVERTON], to formulate rules about the use of proxies. As I recall, they reported against the use of proxies. The Senator from Maine had long held that view. The matter was submitted to the full committee; and, with the exception of their votes, it was unanimously rejected.

I ask the Senator from Maine if that is not true?

Mr. WHITE. Mr. President, if the Senator will yield to me, let me say that I think the Senator from Missouri has stated the situation with his customary accuracy. The practice has been one of long standing in the Senate. But I think it has become a more reprehensible practice with every passing year.

So far as my recollection goes, in the years during which I have been in the Senate I have never consented to be polled. I do not intend to be, as long as I am here. I do not like the practice or anything about it, and I am in sympathy with the criticism the Senator from New Hampshire makes of it.

I cannot help saying, although perhaps this is gratuitous, that I assume that action on the nomination is not in order at this time, if the report is now being made.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. KILGORE. I wish to call attention to the fact that I do not think the nomination of a single officer of general rank in the United States Army has been confirmed by the Senate within the past 3 years except following a poll of the Committee on Military Affairs or a subcommittee thereof. I do not remember a single meeting of the committee in

which the committee passed on such matters with a full quorum present, or except by polling the committee.

Mr. BRIDGES. Mr. President, will the Senator yield to me?

Mr. CLARK of Missouri. I yield.

Mr. BRIDGES. The Senator from West Virginia is very much mistaken about that, or else he has not been in attendance at some of the meetings of the Committee on Military Affairs, because I recall, as other Members of the Senate who are now present will recall very well, occasions on which votes have been taken in the Committee on Military Affairs.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. CLARK of Missouri. I yield.

Mr. CHAVEZ. I do not think any rule of the Senate has been violated in the present instance. The only observation I should like to make in this connection is that officials of the District of Columbia should, in my opinion, be from the District of Columbia. I never did like carpetbaggers, either in 1865 or in 1944. I care not whether the procedure be the present one, which I think is correct, or otherwise, I still think that the committees should pay some attention to the question whether the nominee is from the jurisdiction in which he is to serve. I take that view, regardless of the particular position involved. For instance, consider the judiciary. If the Committee on the Judiciary finds that a particular nominee does not come from the jurisdiction in which he is to serve, I want such a nomination rejected. My objection is, not to the procedure in this matter, but because of my belief that Washington is able to govern itself.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I gladly yield.

Mr. BRIDGES. I join the Senator from New Mexico insofar as his statement is concerned. I believe the nominees should be from the District of Columbia if they are to serve in the District of Columbia. A District of Columbia Negro should be appointed to this position.

I also point out that the only way citizens of the District of Columbia have a voice in their government—

Mr. CHAVEZ. Mr. President, I should like to answer the Senator, if I may do so.

Mr. BRIDGES. Certainly.

Mr. CLARK of Missouri. Certainly.

Mr. CHAVEZ. The only difference between the Senator from New Hampshire and myself is that I do not object to the procedure taken in this particular instance.

Mr. BRIDGES. I object to both the procedure and the appointment.

Mr. President, let me say regarding the poll that, in the first place, no committee meeting was called by the chairman of the committee. In the second place, no endeavor was made to have any other majority member call a committee meeting. In the third place, not all the members of the committee were polled. Members who are now on the floor of the Senate were not even polled. They

were not shown the courtesy of being polled.

If that is not a high-handed procedure a few weeks before the election, to get a political hack appointed register of wills for the District of Columbia, I do not know what is.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I am glad to yield.

Mr. HATCH. I may say to the Senator that I am not going to discuss the pending matter. I wish to mention another matter. I was very much interested in what the Senator from New Hampshire said about the nominations being purely political. Let me ask whether the Senator said "purely" or "poorly"?

Mr. BRIDGES. Perhaps I used the word incorrectly. Perhaps it would be better to say that it is simply a political nomination.

Mr. HATCH. In obtaining the floor, I did not desire to inject a partisan or political question into the present discussion. However, Mr. President, let me say, as in legislative session, that I observed the statements recently made at Valentine, Nebr., by the civilian candidate for President on the Republican ticket—a civilian, I repeat—who characterized civilian influence in the war effort as being something—shall I say—"damnable"? I accept the amendment of the Senator from Kentucky.

Mr. WHERRY. Mr. President, what was the amendment? I should like to hear it.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. WHERRY. I repeat, Mr. President, that I should like to hear the amendment.

Mr. CLARK of Missouri. I yield to anyone who desires to be heard.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. HATCH. Mr. President, as I said, I do not desire to inject a partisan note at this particular time.

I do wish to have inserted in the Appendix of the RECORD some observations, first, by the Senator from Illinois [Mr. LUCAS] commenting on Mr. Dewey's views on the demobilization plan.

Further, I ask unanimous consent to have inserted in the Appendix of the RECORD the script which I have before me at this moment by Mr. Martin Agronsky, discussing quite learnedly the views expressed by Mr. Dewey as to how he is going to—and at this very moment—interfere with the conduct of the war.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK of Missouri. Now, Mr. President—

Mr. BARKLEY. Mr. President, will the Senator yield to me for a brief observation?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. Mr. President, the Senator from New Hampshire has animadverted vigorously that the appointment of this outstanding Negro from Pennsylvania was made purely for

political reasons. Of course, I do not know how the Senator from New Hampshire arrived at such a conclusion. He certainly did not arrive at it because the nominee is not a citizen of the District of Columbia, because the distinguished recorder of deeds, Dr. Thompkins, who held the position for many years and recently died, was not a citizen of the District of Columbia. He was a citizen of the State of Missouri, and, if I correctly recall, of the city of Kansas City.

Mr. CLARK of Missouri. Mr. President—

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator; but the Senator from New Hampshire has talked about this appointment being one only for a Negro who is a citizen of the District of Columbia. The Senator from Kentucky has been here a long time, as have I. Does he recall any recorder of deeds of the District of Columbia under any Republican administration who was ever appointed from the District of Columbia?

Mr. BARKLEY. I do not recall any such instance.

Mr. CLARK of Missouri. There never has been such an instance. Furthermore, there is no partisan question that should arise over the appointment of a man outside the District of Columbia in any position, whether the position be that of United States marshal, recorder of deeds, or a member of the judiciary. I recall that under Republican administrations of Harding, Coolidge, and Hoover, judges were appointed in the District of Columbia who did not live here. I recall a distinguished former Member of the House of Representatives who died recently while still upon the bench. I refer to Judge Luhring, of the State of Indiana, who was not a citizen of the District of Columbia when he received his appointment.

He was appointed by a Republican President. There was no objection made to him, and no one said here that the appointment was made for political reasons. Time after time, under both Democratic and Republican administrations, appointments have been made to official positions in the District of Columbia of men who did not reside within the District of Columbia. There is no law against it. Congress has never required the President to make his selections from those residing in the District of Columbia.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. BARKLEY. I shall yield in just a moment. I am sure that appointments to District offices are made on the theory that the District of Columbia does not belong merely to the people of the District of Columbia, but that the District is the National Capital. Every citizen of America is interested in it, and has a share in the Capital foundation. I imagine that for that reason the Congress has never seen fit to bar citizens of other States from receiving appointments to positions in the District of Columbia, and I doubt whether it ever will.

I now yield to the Senator from New Hampshire.

Mr. BRIDGES. I should like to ask the Senator from Kentucky whether he thinks that President Roosevelt made this particular appointment for a particular purpose.

Mr. BARKLEY. I think he made this particular appointment because it has been recognized from time immemorial that the position was one which could be fittingly filled, and the duties of the position be performed, by a member of the Negro race, and that the present nominee has all the qualifications necessary for the position. I am quite certain that the President did not appoint Dr. Shepard for any political reason, any more than that the Senator from New Hampshire has raised the question for reasons of political partisanship and in order to inject into the situation the question of the political equation.

Regarding the polling of committees, of course we all know that it has been done not only with regard to nominations, but with regard to proposed legislation. We all know the difficulty of obtaining a quorum of a committee at a juncture in the Senate proceedings such as the present, when we can assemble only a bare quorum of the Senate, and have to resort to every parliamentary device in order to preserve a quorum. Always under such circumstances Democrats or Republicans, whichever party is in the majority, undertake to obtain action on nominations. After all, the test is whether a majority of the committee approves the nomination. If the committee meets formally and approves the nomination, that is one thing. If the committee members are unable to meet and are willing to approve the nomination by being polled, as we say, that is another thing, like obtaining a majority consent of the committee to make a report. The rule itself does not specifically designate that as one of the methods by which nominations may be approved by committees, but long and universal custom has made it as much a part of Senate practice as any of the customs and practices which have been followed through the years, more or less by unanimous consent.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. WHITE. I have no disposition to further question the validity of the report made by the Senator from New Jersey, but I do not admit it to be properly authorized. The Senator from Missouri has stated that the practice has been a long-established one.

Mr. CLARK of Missouri. The Senator does not question that, does he?

Mr. WHITE. The Senator has said that it has been long established in connection with nominations and legislation coming to this body by polling the members of a committee.

Mr. CLARK of Missouri. The Senator does not question that fact, does he?

Mr. WHITE. I believe that the Senator is correct. It has been done for many years. The difficulty with the situation is that it is a habit which is growing in this body, and it has come to the point that in a committee the committee chairman can almost dispense at will with the presence of a majority of the com-

mittee members, and resort to this method to which reference has been made.

Mr. CLARK of Missouri. Mr. President, I do not wish to interrupt the Senator from Maine. I know that the opinion he has expressed is the true opinion which he holds with regard to the situation. But the assertion of the Senator from New Hampshire that this particular report of the nomination is entirely outside the ordinary practice of the Senate, and that it has been made for political purposes, is one with which I know the Senator from Maine, with his great honesty, would not align himself.

Mr. WHITE. I have no knowledge of what led up to this nomination. I think that the practice to which I have referred is a reprehensible one, and should be curtailed and limited except in most extreme circumstances. We cannot find in the written rules of the Senate, we cannot find in any precedents of the Senate, where the question has been raised, and we cannot find in parliamentary law any authority for counting as present in a committee a member who is not physically present. We cannot find authority for voting a Member who was not present at a committee, when some matter was before the committee and subject to determination by a vote.

Mr. CLARK of Missouri. The Senator knows that such things are done every day in committee, does he not?

Mr. WHITE. That happens so frequently that I am protesting against it. It is a thoroughly bad practice. I do not assume that it will be stopped except by a rule of the Senate, but I think that we should limit it in every possible way.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. KILGORE. I wish to agree with the minority leader. I vigorously protested against the system for many years. I do not think we should make fish of one and fowl of another. I think we should serve notice that we are going to change the custom. I think the notice should be served in advance and not after the nomination has been reported to the Senate.

Mr. WALSH of New Jersey. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. WALSH of New Jersey. I had not expected a debate on the pending nomination until the appointee's name appeared on the calendar, after lying over for a day or two. But since the nomination has disturbed the Senator from New Hampshire because the President's nominee was not personally interviewed by members of the committee, and because the Senator from New Hampshire has referred to Marshall Shepard as a political "hack," I should like to make it clear at this point that apparently he had to take a recess at times from his "hacking" as shown by a few facts I have discovered regarding him.

Mr. President, this man was educated in the public schools of Oxford, N. C.; Winston-Salem Teachers College, Winston-Salem, N. C.; Virginia Union University, Richmond, Va.; Temple University, Philadelphia, Pa. He did graduate work at Pendle Hill, Quaker Graduate Center, Wallingford, Pa.



He was religious-work secretary of the West One Hundred and Thirty-fifth Street Branch Y. M. C. A., New York.

He was assistant pastor of the Abyssinian Baptist Church, New York, N. Y.

He has been since 1926 minister of the Mt. Olivet Tabernacle Baptist Church, Philadelphia, Pa.

He was assistant secretary of the National Baptist Convention, Inc.; chairman, Foreign Mission Board, National Baptist Convention, Inc.

He served three terms as member of the Pennsylvania State Legislature, and was chairman of Committee on Congressional and Legislative Apportionment.

He was assistant to the Treasurer of the city of Philadelphia, a rather eminent man, as I recall, Dr. Luther A. Harr.

He was recipient of the Meritorious Service Medal of the Commonwealth of Pennsylvania, cited by Gov. George H. Earle, January 14, 1939.

Mr. President, that is a rather impressive career of political hacking.

Mr. BRIDGES. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. In just a moment. I have had the floor for some time, and I have yielded to every Senator who desired to interrupt, but I am getting tired of it, and I wish to make a few brief remarks. Then I shall be glad to yield to any Senator who desires to take the floor.

I took the floor in this matter merely because of the charge of the Senator from New Hampshire that a very unusual proceeding was being resorted to in this matter by polling the committee, that that was a very unusual proceeding, an attempt to railroad something in behalf of the ticket of Roosevelt and Truman. I took the floor merely with the idea of exploding that theory, which I think I very effectively did.

Then other Senators asked me to yield to them, and in the course of the debate the Senator from New Hampshire suggested that the Office of Recorder of Deeds was one which belonged as a matter of right to some Negro from the District of Columbia. Of course, as a matter of fact it does not belong to a Negro from the District of Columbia, any more than it does to any other citizen of the District of Columbia. The only way in which it could be said to belong to a Negro was that it was one of the two offices which from time immemorial have been set up as symbols, as belonging not to Negroes of the District of Columbia, but belonging to the Negroes of the United States. That was a policy established by the Republican Party, the Senator's own party, when it was in power.

There is no particular reason for saying that the Register of the Treasury should be a Negro, certainly not a Negro from the District of Columbia, but it was a symbol set up to the Negroes of the United States, and very properly, as an office they could hold.

I remember very well when I was a boy being at the White House attending a reception, and I saw a very large and very black colored man, in a dress suit, standing in line. I said to my father, "Who is that, dad?" He said, "Have you a dollar bill in your pocket?" I took one

out and he said, "Look at the signature on the lower left-hand corner." That signature was "William T. Vernon." He said, "That man is William T. Vernon."

William T. Vernon was not from the District of Columbia, and I challenge the Senator from New Hampshire now, when he says that the office of Recorder of Deeds belongs to a native of the District of Columbia, to name a single Negro from the District of Columbia his party ever appointed to this office.

Mr. BRIDGES. Will the Senator yield?

Mr. CLARK of Missouri. I am glad to yield.

Mr. BRIDGES. I think the Senator misinterpreted what I said. I said that it should go to a Negro from the District of Columbia.

Mr. CLARK of Missouri. When the Senator's party was in power for so many years, did it ever go to a Negro from the District?

Mr. BRIDGES. When my party does come into power, it will.

Mr. CLARK of Missouri. That will be a long time.

Mr. BRIDGES. No; I think it will be on January 20 next.

Mr. CLARK of Missouri. It will be a long, long time from now. The Senator cannot tell me of a single instance when the Republican Party was in power—and he says this office belongs as a matter of right to a Negro from the District of Columbia—when a Negro from the District of Columbia was appointed to the office.

Mr. BRIDGES. I cannot at this time, because I have not checked it one way or the other.

Mr. CLARK of Missouri. The Senator can check it for 2 weeks, and report at any time he desires.

Mr. BRIDGES. I certainly shall; but let me say again that I still think that the man should come from the District of Columbia. He should be a resident here.

Mr. CLARK of Missouri. As a matter of fact, neither the Democratic Party nor the Republican Party has ever appointed a resident of the District of Columbia to that particular office, for the reason that both parties have regarded it, not as a local appointment, but as a symbol of recognition of a great race.

Mr. BRIDGES. Does the Senator believe that a simple district appointment in the District of Columbia is a great national office, or is it an office in the District of Columbia?

Mr. CLARK of Missouri. I think that it has been considered by both parties heretofore as a national office. It might very well be that there should be a change in the policy of both parties, but I say it has been considered for more years than either of us is old as a symbol of national recognition of a great race. That has been the rule, which has been followed by the Senator's party and by my party.

I do not know this appointee, I never heard of him, but I resent the Senator undertaking to make it appear that there has been a change in senatorial procedure in the matter of reporting the nomination. I myself have taken the Senator's poll on nominations.

Mr. BRIDGES. I should not have given it to the Senator, I now know.

Mr. CLARK of Missouri. I think the Senator did well to give it to me, because I never misled him. But for the Senator to come in at this late hour and try to make it appear that there was any diversion from ordinary senatorial practice in the method of polling the committee, or make it appear that it was unusual to appoint someone from outside the District of Columbia, is unworthy of the Senator from New Hampshire.

Mr. CHAVEZ. Mr. President, I do not wish to leave the floor this afternoon without making my position clear on the particular matter now before the Senate. I have no objection whatsoever to the procedure taken by the committee. I believe that the assertion made by the Senator from New Hampshire that the appointment might have been political was rather unfortunate. Of course, I am not doubting his sincerity of purpose. The point I am trying to make, as stated by the Senator from Missouri, is that the practice of appointing outsiders to positions in the District of Columbia has been carried out by Democrats and Republicans. I do not care how long they have done it, I still think it is wrong. I know that the Republicans have done that very thing, and I know that the Democrats have selected from States persons who could not be elected constable in their home town and made them officials of the District of Columbia. I know that the Republicans have done the same thing, and I am not complaining of their authority to do it and I am not complaining of the authority exercised in this particular appointment. Under the practice, it was correctly made. In my opinion, under the system which prevails in the Senate, the procedure taken to report the nomination was correct. The point I am trying to make is that Republicans and Democrats have gone outside the District of Columbia to select for positions in the District persons who in their own States or precincts could not occupy a position of trust, which is a wrong practice. I know that such has been the system, Mr. President. I know that similar actions have previously been taken under that system.

I am not objecting to Dr. Shepard. Personally I shall vote for the confirmation of his nomination. What I object to is the nominating of men from other States to serve in the District of Columbia, just as I would object to the nomination for service in the State of New Mexico of individuals from other States.

The District of Columbia has grown. Under our system of government, under our theory of self-rule it is about time that we do away with the practice of going to New York or Kentucky or Massachusetts or Iowa and there selecting justices to serve in the District of Columbia. The District of Columbia still has a pretty good bar. If the District did not have a good bar it would not deserve to have a justice appointed from the District.

I repeat, I am not objecting to Dr. Shepard; I shall vote for the confirmation of his nomination; but I object to the system which is now prevailing. Why load a man from Missouri onto

the District of Columbia? If he is a good man and suitable for a job in the District of Columbia he is also suitable for a job in the State of Missouri. Why load a man from Massachusetts onto the District of Columbia? Why not appoint him to a position in the State of Massachusetts? The same is true with respect to an individual from Iowa. Why bring him to the District of Columbia? That is the point I wish to make and I leave it to the consideration of the Members of the Senate.

**PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES**

Mr. WHERRY. Mr. President, I ask unanimous consent that as reports come in monthly from the different Senate committees, either special or standing, about the number of employees who are carried on part time, or are detailed from governmental organizations, they be printed in the body of the RECORD.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The Senator from Nebraska [Mr. WHERRY] has asked unanimous consent, as in legislative session, that in the future when there are reports submitted under Senate Resolution 319 they be printed in the RECORD.

Mr. CLARK of Missouri. I make the point of order that that request is not proper in executive session.

Mr. BARKLEY. I wish to find out what the resolution is. What is the resolution? The PRESIDING OFFICER. The resolution calls for a report on part-time employees of committees.

Mr. BARKLEY. Of Senate committees?

The PRESIDING OFFICER. Of Senate committees.

Mr. CLARK of Missouri. Mr. President, I have no particular objection to the request, but it seems to me it ought not to be submitted in executive session.

Mr. BARKLEY. The Senator from Nebraska asked that, as in legislative session, his request might be acted upon.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK of Missouri. I object. The PRESIDING OFFICER. Objection is heard.

The clerk will state the nominations on the Executive Calendar.

**THE ARMY**

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

**THE NAVY**

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I make the same request with respect to the nominations in the Navy.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

That concludes the Executive Calendar.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be so notified.

**REPORT ON PART-TIME EMPLOYEES OF SENATE COMMITTEES**

Mr. BARKLEY. Mr. President, I have no objection to the request made by the Senator from Nebraska. He made the request as in legislative session. I have no objection to the printing of these reports. I hope the Senator from Missouri will not continue his objection.

Mr. CLARK of Missouri. I have no objection to the printing of the reports, Mr. President, but I do not think it is in place to inject such a request into the business of an executive session. For that reason I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BARKLEY. Frequently requests are made when we are in executive session that something be done as in legislative session.

Mr. HATCH. Mr. President, as chairman of the Committee on Public Lands and Surveys I have been a little bit disturbed concerning the request of the Senator from New Hampshire [Mr. BRIDGES], because I did not know how to make the report. So I think now that as chairman of that committee I shall make a report. We have no outside employees, part-time employed or otherwise utilized, in that committee. Is that a sufficient report?

Mr. BRIDGES. I think that is very satisfactory, and I hope the Senator will keep that record clean.

Mr. HATCH. No, no, I object to the remark "clean," because I think these employees from the executive departments render very efficient and useful service, and I do not like to have them smirched.

Mr. BRIDGES. I am not smirching them. When I say "clean" I refer to the committee being free of further employees.

Mr. HATCH. Well, anyway the answer is "No" to any question the Senator from New Hampshire asks.

**RECESS TO TUESDAY**

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until next Tuesday at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate took a recess until Tuesday, September 19, 1944, at 12 o'clock meridian.

**NOMINATIONS**

Executive nominations received by the Senate September 15 (legislative day of September 1), 1944:

**PROMOTIONS IN THE NAVY**

The following-named officers of the Naval Reserve to be lieutenants (junior grade) in the Navy, to rank from the date stated opposite their names:

Chester P. Smith, October 1, 1939.  
Bruce S. Weber, October 1, 1940.  
Herbert N. Houck, November 1, 1940.  
William F. Dawson, December 1, 1940.  
John P. Conn, Jr., December 1, 1940.  
John L. Elwell, January 1, 1941.  
Charles H. Crabbill, Jr., August 1, 1941.  
Lee W. Mather, November 1, 1941.  
Dennis M. Szabo, November 1, 1941.  
William W. Soverel, December 1, 1941.

Donald F. White, January 1, 1942.  
Laurens A. Whitney, January 1, 1942.  
George E. Chalmers, January 1, 1942.  
Lester E. Hubbell, June 1, 1942.

The following-named officers of the Naval Reserve to be ensigns in the Navy, to rank from the date stated opposite their names:

Guy N. Cagle, Jr., August 1, 1939.  
Martin P. MacNair, September 1, 1939.  
Edgar F. Hazleton, Jr., October 20, 1939.  
Ross C. Barney, October 20, 1939.  
Arthur L. Jacobson, November 1, 1939.  
Edward W. Bergstrom, November 20, 1939.  
Walter E. Clarke, November 20, 1939.  
Nelson E. Harris, November 20, 1939.  
Lester E. Geer, November 20, 1939.  
William P. Tanner, Jr., April 1, 1940.  
Willard R. Kaufman, April 15, 1940.  
Robert L. Donley, April 15, 1940.  
August A. Barthes, April 15, 1940.  
Barton F. Jones, June 7, 1940.  
Stanley R. Stanul, June 7, 1940.  
Robert W. Savage, July 1, 1940.  
William C. Rivers, August 10, 1940.  
Claude R. Phillips, Jr., September 1, 1940.  
Robert McD. Nelson, October 21, 1940.  
Joseph F. Dorrington, November 1, 1940.  
Frederick W. Snyder, November 1, 1940.  
Chester V. Zalewski, November 25, 1940.  
Robert J. Perkinson, December 3, 1940.  
Fred H. Mamer, January 6, 1941.  
Guy D. Mulford, January 6, 1941.  
Odin H. MacPhee, January 20, 1941.  
Ira Dye, January 27, 1941.  
Joe C. Davis, February 10, 1941.  
James P. English, Jr., February 10, 1941.  
Benjamin E. Hood, February 10, 1941.  
Maxwell "D" McDonald, February 10, 1941.  
John B. Stahl, February 10, 1941.  
Ernest M. Beauchamp, February 14, 1941.  
Irving Kahn, February 14, 1941.  
Donald LaG. Jackson, February 24, 1941.  
Lloyd E. Sloan, February 24, 1941.  
Robert L. Abbott, March 16, 1941.  
Joseph O. Buchanan, Jr., March 16, 1941.  
John A. Goodwin, March 16, 1941.  
Harold J. Kicker, March 16, 1941.  
Donald J. Rankin, March 16, 1941.  
Robert K. Campbell, April 3, 1941.  
Clement J. Cassidy, April 3, 1941.  
Vincent A. Dahlstrom, April 3, 1941.  
Harold H. Denery, April 3, 1941.  
Van V. Eason, Jr., April 3, 1941.  
Albert O. Morton, April 3, 1941.  
Harry F. Stanford, April 3, 1941.  
Donald S. Chay, April 10, 1941.  
Anthony J. Denman, April 10, 1941.  
Melvin E. Hirschi, April 10, 1941.  
Robert C. Mayo, April 10, 1941.  
Herbert M. Dowsett, Jr., April 21, 1941.  
Arthur E. Lundgren, May 1, 1941.  
Morris E. Haller, May 5, 1941.  
Edward McM. Hollister, May 5, 1941.  
Harvey Larson, May 5, 1941.  
Roger F. Noyes, May 5, 1941.  
Maurice M. Stone, May 5, 1941.  
Harry Wood, May 5, 1941.  
John F. Curran, May 12, 1941.  
Halsey Hines, May 12, 1941.  
Will "H" Kilgore, May 12, 1941.  
Laurence A. Lauratis, May 12, 1941.  
James E. Little, May 12, 1941.  
William L. Perry, May 12, 1941.  
Edgar J. Rook, Jr., May 12, 1941.  
Carlton E. Soderholm, May 12, 1941.  
Alexander W. Belikow, May 24, 1941.  
Halbert K. Evans, May 24, 1941.  
Leo F. Frick, May 24, 1941.  
Lewis R. Hardy, Jr., May 24, 1941.  
Edward B. Johnson, Jr., May 24, 1941.  
John E. White, Jr., May 24, 1941.  
Verne E. Geissinger, May 31, 1941.  
Herbert H. Hassenfratz, May 31, 1941.  
Donald E. Weissenborn, May 31, 1941.  
Henry B. Bassett, June 3, 1941.  
Gordon B. Bjornson, June 3, 1941.  
Lewis W. Chick, June 3, 1941.  
Fred C. Hamilton, June 3, 1941.  
Jefferson Kennedy, Jr., June 3, 1941.  
Gerald V. Knudson, June 3, 1941.  
Ivan L. Swope, June 3, 1941.



Ralph B. Varner, June 3, 1941.  
 Clifford M. Whitmore, June 3, 1941.  
 Thomas J. Ball, June 6, 1941.  
 Harry M. Cocowitch, June 6, 1941.  
 Milton R. Dahl, June 6, 1941.  
 Clark H. Gates, June 6, 1941.  
 Cleland S. Hattaway, June 6, 1941.  
 James N. Howell, Jr., June 6, 1941.  
 Ernest J. Knoche, June 6, 1941.  
 Donald G. Miller, June 6, 1941.  
 John N. Phelps, June 6, 1941.  
 James R. Wilson, June 6, 1941.  
 Clayton E. Fisher, June 21, 1941.  
 John Magda, June 21, 1941.  
 William A. Matthews, Jr., June 21, 1941.  
 George W. Maxwell, Jr., June 21, 1941.  
 Albert Miller, Jr., June 21, 1941.  
 John R. Stewart, June 21, 1941.  
 Herbert E. Thayer, June 21, 1941.  
 David J. Walkinshaw, June 21, 1941.  
 Robert W. Dickinson, June 28, 1941.  
 Harold W. Johnston, July 7, 1941.  
 George H. Goldsmith, July 16, 1941.  
 George A. Griffith, Jr., July 16, 1941.  
 Wilbur K. Karter, July 16, 1941.  
 Russell P. Lecklider, July 16, 1941.  
 Robert J. Monahan, July 16, 1941.  
 Harry J. Mueller, July 16, 1941.  
 Robert E. Rau, July 16, 1941.  
 Allard G. Russell, July 16, 1941.  
 Robert W. Calland, August 4, 1941.  
 John W. Carter, August 4, 1941.  
 Gordon G. Brady, August 4, 1941.  
 Sidney A. Brown, August 4, 1941.  
 Jack A. Miller, August 4, 1941.  
 Jack R. Penfold, August 4, 1941.  
 Theodore C. Schable, August 4, 1941.  
 Thomas H. Abbott, August 18, 1941.  
 Stanley M. Arnold, August 18, 1941.  
 John W. Crowe, August 18, 1941.  
 George H. Earle, IV, August 18, 1941.  
 Lewis A. Hopkins, August 18, 1941.  
 Arthur E. Linder, August 18, 1941.  
 Thomas W. Ramsay, August 18, 1941.  
 Thomas J. Rennemo, August 18, 1941.  
 Millard C. Thrash, August 18, 1941.  
 Neil S. Weary, August 18, 1941.  
 Robert B. Russell, August 29, 1941.  
 Paul L. Holmes, August 30, 1941.  
 Kenneth J. Mathis, August 30, 1941.  
 Dewey A. Ostrom, August 30, 1941.  
 John F. Richey, August 30, 1941.  
 Eldor E. Rodenburg, August 30, 1941.  
 Harold W. Schwerdt, August 30, 1941.  
 Richard F. Wolfe, August 30, 1941.  
 Loraine S. Adams, September 6, 1941.  
 Waldo W. Clark, Jr., September 6, 1941.  
 Claude A. Crow, Jr., September 6, 1941.  
 Roy M. Gunsolus, September 6, 1941.  
 Robert A. Mayo, September 6, 1941.  
 John D. Petersen, September 6, 1941.  
 John F. J. Stinson, September 6, 1941.  
 John M. Wesolowski, September 6, 1941.  
 Earl F. Wright, Jr., September 6, 1941.  
 Burton F. J. Albrecht, September 10, 1941.  
 Romane C. Anderson, September 10, 1941.  
 William H. Cullin, September 10, 1941.  
 George M. Davidson, September 10, 1941.  
 Robert E. Dimmitt, September 10, 1941.  
 Sidney Engelhardt, September 10, 1941.  
 Robert B. Fellmeth, September 10, 1941.  
 Hugh A. Kelley, September 10, 1941.  
 Andrew J. Kelly, September 10, 1941.  
 Theodore E. Maurer, September 10, 1941.  
 Robert P. McDonald, September 10, 1941.  
 Arthur N. Melhuse, September 10, 1941.  
 Claude O. Roberts, September 10, 1941.  
 Robert E. Smith, September 10, 1941.  
 Warren E. Spradling, September 10, 1941.  
 Samuel Stoddard, September 10, 1941.  
 Sid W. Shelton, September 22, 1941.  
 William D. Biggers, October 8, 1941.  
 Robert B. Blodgett, October 8, 1941.  
 James L. Dally, October 8, 1941.  
 Albert K. Earnest, October 8, 1941.  
 Walter L. Fisher, October 8, 1941.  
 Claude R. Frazier, October 8, 1941.  
 Tobias Funt, October 8, 1941.  
 Harlan I. Gustafson, October 8, 1941.  
 Laurence L. Hamrick, October 8, 1941.  
 John B. Jorgensen, October 8, 1941.

John A. LaPay, October 8, 1941.  
 John W. Mason, Jr., October 8, 1941.  
 Donald R. Newby, October 8, 1941.  
 Richard H. Shireman, Jr., October 8, 1941.  
 Harold C. Stirling, October 8, 1941.  
 John D. Carter, Jr., October 10, 1941.  
 Willard D. Dietz, October 10, 1941.  
 Don G. Douglas, Jr., October 10, 1941.  
 Lawrence E. Flint, Jr., October 10, 1941.  
 Gaylord T. Forrest, October 10, 1941.  
 Matthew R. Gromada, October 10, 1941.  
 Robert J. Hunt, October 10, 1941.  
 Cecil D. Kephart, October 10, 1941.  
 Rodger R. H. Lade, October 10, 1941.  
 James F. Oliver, October 10, 1941.  
 Nelson Puett, Jr., October 10, 1941.  
 Marvin L. Ramsey, October 10, 1941.  
 Lawrence H. Reagan, October 10, 1941.  
 Claredon H. Sigley, October 10, 1941.  
 Arthur E. Simmons, October 10, 1941.  
 Frank E. Standing, October 10, 1941.  
 Charles S. Tanner, October 10, 1941.  
 Charles C. Atkins, October 14, 1941.  
 William D. Baird, October 14, 1941.  
 Martin D. Carmody, October 14, 1941.  
 Charles R. Ellwood, October 14, 1941.  
 Winfield S. Munro, Jr., October 14, 1941.  
 Glenn M. Revel, October 14, 1941.  
 Gordon M. Riddick, October 14, 1941.  
 Robert L. Thienes, October 14, 1941.  
 Francis X. Timmes, October 14, 1941.  
 Gaines B. Turner, October 14, 1941.  
 Wayne T. Wilcox, Jr., October 14, 1941.  
 Edward W. Austermuehle, Jr., October 16, 1941.  
 Edward S. Buchanan, October 16, 1941.  
 Maurice A. Coleman, October 16, 1941.  
 Paul D. Culver, October 16, 1941.  
 Archibald W. Curtis, October 16, 1941.  
 Hugh R. Everett, October 16, 1941.  
 LeRoy B. Fraser, Jr., October 16, 1941.  
 Ronald P. Gift, October 16, 1941.  
 Eugene R. Hanson, October 16, 1941.  
 William F. Krantz, October 16, 1941.  
 Donald F. Rader, October 16, 1941.  
 Eugene W. Seitz, October 16, 1941.  
 Joseph E. Sheehan, October 16, 1941.  
 Robert R. Sparks, October 16, 1941.  
 Robert R. Stoinoff, October 16, 1941.  
 Robert J. Baxter, November 14, 1941.  
 Edward A. Arnold, Jr., December 16, 1941.  
 Norman E. Berg, December 16, 1941.  
 Ray C. Boswell, December 16, 1941.  
 Jack A. Derby, December 16, 1941.  
 Hugh M. Hall, December 16, 1941.  
 Richard P. Howe, December 16, 1941.  
 Charles W. Hubbell, December 16, 1941.  
 William M. Knight, December 16, 1941.  
 Wade W. Lape, December 16, 1941.  
 Warren L. McNett, December 16, 1941.  
 Frank P. Morrison, December 16, 1941.  
 William H. Neal 3d, December 16, 1941.  
 Robert D. Oakley, Jr., December 16, 1941.  
 Thomas H. Ragsdale, December 16, 1941.  
 Herbert C. Rand, December 16, 1941.  
 Armistead B. Smith, Jr., December 16, 1941.  
 Harry E. Sorenson, December 16, 1941.  
 Gustave "A" Sundquist, Jr., December 16, 1941.  
 Jon E. Thomas, December 16, 1941.  
 Charles A. Turner, December 16, 1941.  
 Edward M. Volz, December 16, 1941.  
 Roy M. Voris, December 16, 1941.  
 Millard J. Wooley, December 16, 1941.  
 Robert L. Ashcraft, January 9, 1942.  
 Roy B. Dalton, January 9, 1942.  
 Thomas C. Deans, January 9, 1942.  
 Norman W. Dunzweiler, January 9, 1942.  
 Robert L. Gates, January 9, 1942.  
 John W. Hetherington, January 9, 1942.  
 Travis L. Imus, January 9, 1942.  
 Randall E. Larson, January 9, 1942.  
 Grange B. McKinney, January 9, 1942.  
 Arthur D. Nicholson, January 9, 1942.  
 Wayne D. Robinson, January 9, 1942.  
 Paul Schenk, Jr., January 9, 1942.  
 Roy H. Tabeling, Jr., January 9, 1942.  
 John G. Thompson, January 9, 1942.  
 Robert M. Westfall, January 9, 1942.  
 Maurice N. Wickendoll, January 9, 1942.  
 Berton H. Hickman, January 15, 1942.

Thomas H. York, January 15, 1942.  
 Lawrence W. Bunce, February 7, 1942.  
 Harry P. Carten, February 7, 1942.  
 Andrew B. Conner, Jr., February 7, 1942.  
 William A. Jernigan, Jr., February 7, 1942.  
 Floyd F. Reck, February 7, 1942.  
 Roy E. Reed, February 7, 1942.  
 Leonard Robinson, February 7, 1942.  
 Vance A. Schweitzer, February 7, 1942.  
 Hugh W. Shelden, February 7, 1942.  
 Byron G. Sheppie, February 7, 1942.  
 Hubert L. Worrell, February 7, 1942.  
 Albert Yoxall, February 7, 1942.  
 John G. Baker, Jr., February 9, 1942.  
 William J. Bonneau, February 9, 1942.  
 Russell F. Craig, February 9, 1942.  
 Darold W. Davis, February 9, 1942.  
 Roger W. Erskine, February 9, 1942.  
 Richard A. Haase, February 9, 1942.  
 Eugene R. Hall, February 9, 1942.  
 Marvin B. Harper, February 9, 1942.  
 Benjamin K. Harrison, February 9, 1942.  
 Hamilton McWhorter 3d, February 9, 1942.  
 Grady L. Mullins, February 9, 1942.  
 Robert J. Ney, February 9, 1942.  
 Wallace J. Ottomeyer, February 9, 1942.  
 Willis Parker, Jr., February 9, 1942.  
 John W. Ramsey, February 9, 1942.  
 Dixon B. Rice, February 9, 1942.  
 Lewis B. Sanders, February 9, 1942.  
 James F. Sands, February 9, 1942.  
 William C. Smith, February 9, 1942.  
 Allan M. Trankley, February 9, 1942.  
 Conrad G. Welling, February 9, 1942.  
 William A. James, March 12, 1942.  
 James K. Alleman, March 12, 1942.  
 Douglas "M" Birdsall, March 12, 1942.  
 Harold W. Borer, March 12, 1942.  
 Ferdinand L. Brard, March 12, 1942.  
 Alfred E. Brown, March 12, 1942.  
 Jules M. Busker, March 12, 1942.  
 Richard D. Chamberlain, March 12, 1942.  
 Edwin C. Ensley, March 12, 1942.  
 Marvin J. Franger, March 12, 1942.  
 Ralph W. Hart, Jr., March 12, 1942.  
 William K. Keller, March 12, 1942.  
 Herbert V. Ladley, March 12, 1942.  
 Louis A. Menard, Jr., March 12, 1942.  
 Francis G. Mulvihill, March 12, 1942.  
 Harry S. Rodgers, March 12, 1942.  
 Robert L. White, March 12, 1942.  
 Edward H. Bagley, Jr., March 14, 1942.  
 James F. Carroll, March 14, 1942.  
 George L. Cassell, March 14, 1942.  
 Harry J. Dobbs, March 14, 1942.  
 James T. Dungan, March 14, 1942.  
 Frank C. Hearrell, Jr., March 14, 1942.  
 Ralph E. Hoskins, March 14, 1942.  
 Lloyd H. Johnson, March 14, 1942.  
 Samuel L. Lanier, March 14, 1942.  
 Albert H. Magie, Jr., March 14, 1942.  
 George W. McDonald, March 14, 1942.  
 Robert G. Nester, March 14, 1942.  
 Paul S. Ravey, March 14, 1942.  
 Ben Sparks, Jr., March 14, 1942.  
 James E. Toliver, March 14, 1942.  
 Robert T. Tolleson, March 14, 1942.  
 James O. Weimer, March 14, 1942.  
 Paul Wolcott, Jr., March 14, 1942.  
 Lawrence R. Yarnell, March 14, 1942.  
 Earle B. Abrams, March 17, 1942.  
 Harry E. Butterfield, Jr., March 17, 1942.  
 Elmer W. Dailey, Jr., March 17, 1942.  
 George E. Ford, March 17, 1942.  
 John C. McCollum, Jr., March 17, 1942.  
 Lavern M. Nelsen, March 17, 1942.  
 James W. Shaw, March 17, 1942.  
 James H. Stephens, March 17, 1942.  
 Thomas F. Tavernetti, Jr., March 17, 1942.  
 Micajah R. Wyatt, March 17, 1942.  
 Malvern H. Bell, March 25, 1942.  
 John L. Burge, March 25, 1942.  
 William T. Cain, March 25, 1942.  
 Edward L. Graham, March 25, 1942.  
 Thomas L. Hine, March 25, 1942.  
 William H. Huff, March 25, 1942.  
 Carl S. Johansen, March 25, 1942.  
 Berend E. Johnson, Jr., March 25, 1942.  
 John Magee, March 25, 1942.  
 Edward H. Potter, Jr., March 25, 1942.  
 Kenneth T. Sanders, March 25, 1942.  
 Glenn E. Simmons, March 25, 1942.

James J. Stevens, March 25, 1942.  
 Christian G. Timmins, March 25, 1942.  
 James H. Todd, March 25, 1942.  
 Roy Anderson, April 3, 1942.  
 Burton L. Bardeen, April 3, 1942.  
 Kilmer S. Bortz, April 3, 1942.  
 James S. Brown, April 3, 1942.  
 Stanley H. Castleton, April 3, 1942.  
 Richard L. Cormier, April 3, 1942.  
 Nelson W. Dayhoff, April 3, 1942.  
 Frank T. Donahoe, Jr., April 3, 1942.  
 Mark T. Essling, April 3, 1942.  
 Paul Haas, Jr., April 3, 1942.  
 Robert S. Hardwick, April 3, 1942.  
 William T. Henderson, April 3, 1942.  
 Merle M. Hershey, April 3, 1942.  
 Terry H. Holberton, April 3, 1942.  
 Fred W. Holcomb, Jr., April 3, 1942.  
 Robert C. Hopping, April 3, 1942.  
 Charles H. Jaep 3d, April 3, 1942.  
 James M. Johnson, April 3, 1942.  
 Arthur L. Leppert, April 3, 1942.  
 Walter G. Maerki, April 3, 1942.  
 Charles N. McCauley, April 3, 1942.  
 Otis E. McCutcheon, April 3, 1942.  
 Harold R. Megrew, April 3, 1942.  
 William H. B. Millar, April 3, 1942.  
 Edward M. Peck, April 3, 1942.  
 Thomas W. Reilly, April 3, 1942.  
 Carl Santti, April 3, 1942.  
 Frederick G. Tyler, April 3, 1942.  
 Edward B. Webb, April 3, 1942.  
 Edward J. Winter, April 3, 1942.  
 Peter I. Culbertson, April 17, 1942.  
 Patrick Doyle, April 17, 1942.  
 George Center, April 23, 1942.  
 Richard V. Donahue, April 23, 1942.  
 Robert N. Flath, April 23, 1942.  
 George H. Fuller, April 23, 1942.  
 Robert C. Hoffman, April 23, 1942.  
 Kenneth J. Mackie, April 23, 1942.  
 Paul H. McGinnis, April 23, 1942.  
 George "L" Musick, Jr., April 23, 1942.  
 William T. Shelton, April 23, 1942.  
 Harold C. Skinner, April 23, 1942.  
 James S. Swope, April 23, 1942.  
 Edward Van Vranken, April 23, 1942.  
 Alton P. Adams, May 1, 1942.  
 Jacob O. Bach, May 1, 1942.  
 John B. Barcalow, May 1, 1942.  
 John A. Cork, Jr., May 1, 1942.  
 Frederick A. Graber, Jr., May 1, 1942.  
 Glenn "A" Hansen, May 1, 1942.  
 Floyd L. Harris, May 1, 1942.  
 John C. Hart, May 1, 1942.  
 Lloyd P. Heinzen, May 1, 1942.  
 Charles W. Johnson, May 1, 1942.  
 Robert W. Koberg, May 1, 1942.  
 William J. Marshall, May 1, 1942.  
 Herbert W. Pickering, May 1, 1942.  
 Arthur P. Pomatti, May 1, 1942.  
 John R. Rutledge, May 1, 1942.  
 Robert B. Toof, May 1, 1942.  
 Thomas "J" Whitlow, May 1, 1942.  
 Robert G. Wissman, May 1, 1942.  
 Robert M. Witmer, May 1, 1942.  
 Benjamin H. Browning, May 15, 1942.  
 Frank L. Danowski, May 15, 1942.  
 Harry S. Holt, May 15, 1942.  
 Denman W. Knight, May 15, 1942.  
 William R. Kreitzer, May 15, 1942.  
 Charles T. Larsen, May 15, 1942.  
 Samuel L. Morton, May 15, 1942.  
 Charles C. Sanders, May 15, 1942.  
 William J. Slone, May 15, 1942.  
 Warren E. Westrup, May 15, 1942.  
 William H. Armstrong, May 22, 1942.  
 Howard J. Boydston, May 22, 1942.  
 George Flanagan, May 22, 1942.  
 Richard F. Fletcher, May 22, 1942.  
 Philip E. Golden, May 22, 1942.  
 John "T" Griffith, May 22, 1942.  
 Robert A. Hobbs, May 22, 1942.  
 John M. Kistler, May 22, 1942.  
 James W. Lamm, May 22, 1942.  
 Edward LeR. Miller, May 22, 1942.  
 Arthur E. Mix, May 22, 1942.  
 Michael J. Onofrio, May 22, 1942.  
 James W. Perkins, May 22, 1942.  
 Hubert P. Prather, May 22, 1942.

Kay P. Rehnberg, Jr., May 22, 1942.  
 Erwin J. Wagner, May 22, 1942.  
 William S. Webster, Jr., May 22, 1942.  
 Eugene Fridonoff, May 25, 1942.  
 James E. Wright, May 27, 1942.  
 John H. Henderson, June 8, 1942.  
 Henry L. Basler, Jr., June 8, 1942.  
 Roger W. Becker, June 8, 1942.  
 Roger A. Bisbee, June 8, 1942.  
 Charles F. Blakslee, Jr., June 8, 1942.  
 Richard F. Cyr, June 8, 1942.  
 Raymond J. DeVito, June 8, 1942.  
 Frank Larsen, June 8, 1942.  
 Paul E. McNamara, June 8, 1942.  
 John P. Propis, June 8, 1942.  
 George F. Rodgers, June 8, 1942.  
 Harry G. Sharp, Jr., June 8, 1942.  
 Robert E. Warner, June 8, 1942.  
 Harold V. Weed, June 8, 1942.  
 Verle C. Austin, June 18, 1942.  
 William P. Blackwell, June 18, 1942.  
 John T. Burkes, Jr., June 18, 1942.  
 Eugene H. Marley, June 18, 1942.  
 Robert Marvel, June 18, 1942.  
 Joseph B. Mongogna, June 18, 1942.  
 Harvey G. Odenbrett, June 18, 1942.  
 John O'Looney, June 18, 1942.  
 Joseph A. Pariseau, June 18, 1942.  
 James R. Preis, June 18, 1942.  
 Donald I. Santure, June 18, 1942.  
 David A. Scott, June 18, 1942.  
 Howard J. Spencer, June 18, 1942.  
 David L. Staley, Jr., June 18, 1942.  
 William P. Toohy, June 18, 1942.  
 Robert McR. Tuft, June 18, 1942.  
 James B. Verdin, June 18, 1942.  
 Richard Watson, June 18, 1942.  
 James J. Delhom, June 19, 1942.  
 Irvine N. Donahue, Jr., June 19, 1942.  
 Edward C. McGowan, June 19, 1942.  
 Franklin Metzner, June 19, 1942.  
 Weimer B. Tracy, Jr., June 19, 1942.  
 Arthur G. Newton, June 24, 1942.  
 Boynton Barrett, June 25, 1942.  
 Charles S. Brookes, June 25, 1942.  
 Vlada D. Bursik, June 25, 1942.  
 Arthur J. Denzel, June 25, 1942.  
 Raymond L. Earl, June 25, 1942.  
 Larry W. Frawley, June 25, 1942.  
 Sammy H. Hanson, June 25, 1942.  
 Martin H. T. Kollmorgen, June 25, 1942.  
 Douglas B. LaPierre, June 25, 1942.  
 Ernest H. Leggett, June 25, 1942.  
 Donald J. Ludwig, June 25, 1942.  
 Earl P. McBride, June 25, 1942.  
 Robert J. Nelson, June 25, 1942.  
 William P. Phelps, June 25, 1942.  
 Robert W. Raddatz, June 25, 1942.  
 Randolph H. Reece, June 25, 1942.  
 Edward M. Smith, June 25, 1942.  
 Charles E. Snyder, June 25, 1942.  
 William L. Adams, July 13, 1942.  
 Rowland McW. Fairlie, July 13, 1942.  
 Ralph Hein, Jr., July 13, 1942.  
 Philip W. Knights, July 13, 1942.  
 William J. McDonell, July 13, 1942.  
 Alton W. Payne, July 13, 1942.  
 James L. Pearce, July 13, 1942.  
 John D. Smith, July 13, 1942.  
 Wilbur A. Carton, July 14, 1942.  
 Gerald F. Boyle, July 18, 1942.  
 Channing H. Cox, July 18, 1942.  
 Charles W. Demoss, July 18, 1942.  
 John D. Frank, July 18, 1942.  
 Donald R. Gillespie, July 18, 1942.  
 Glenn L.H. Gould, July 18, 1942.  
 Charles F. Hallums, July 18, 1942.  
 Robert E. Irons, July 18, 1942.  
 Noble R. Kean, July 18, 1942.  
 Arthur R. Keeneth, July 18, 1942.  
 Alfred C. Mobus, July 18, 1942.  
 Cleveland LeR. Null, July 18, 1942.  
 Gordon R. Otis, July 18, 1942.  
 Vincent G. Quillen, July 18, 1942.  
 Chester L. Robertson, July 18, 1942.  
 Raymond M. Roland, Jr., July 18, 1942.  
 Frederick W. Silverthorne, July 18, 1942.  
 Hovey D. Smith, July 18, 1942.  
 George A. Spikes, July 18, 1942.  
 Donald C. Stanley, July 18, 1942.

Robert J. Stegg, July 18, 1942.  
 Paul Tangas, July 18, 1942.  
 George S. Von Weller, July 18, 1942.  
 Guy H. West, Jr., July 18, 1942.  
 Curtis J. Zane, July 18, 1942.  
 Leon B. Blair, July 23, 1942.  
 Jay R. Ellenberger, July 23, 1942.  
 Daniel R. Harris, July 23, 1942.  
 Paul E. Hill, July 23, 1942.  
 Dale C. Klahn, July 23, 1942.  
 Gilbert L. Knight, July 23, 1942.  
 Alexander J. Kostrzewsky, July 23, 1942.  
 George B. Meldrum, July 23, 1942.  
 Clifford R. Sawyer, July 23, 1942.  
 John P. Schenck, July 23, 1942.  
 Arthur P. Whiteway, July 23, 1942.  
 Alfred G. Bolduc, August 5, 1942.  
 Samuel McK. Kevan, Jr., August 5, 1942.  
 Paul H. Anderson, August 5, 1942.  
 Milner L. Andrews, August 5, 1942.  
 Robert C. Bailey, August 5, 1942.  
 George H. Belk, August 5, 1942.  
 Wayne R. Cheal, August 5, 1942.  
 John A. Dingle, August 5, 1942.  
 Harlo D. Fechtelkotter, August 5, 1942.  
 James Ferris, August 5, 1942.  
 Rollin E. Gray, Jr., August 5, 1942.  
 Jack S. Hall, August 5, 1942.  
 Felix G. Hampton, August 5, 1942.  
 Delbert G. Karr, August 5, 1942.  
 Edgar T. Keller, August 5, 1942.  
 Vincent F. Kelley, August 5, 1942.  
 William S. Lewis, Jr., August 5, 1942.  
 Robert Linwick, Jr., August 5, 1942.  
 Richard H. Martin, August 5, 1942.  
 Robert C. Mason, August 5, 1942.  
 Charles H. McCabe, August 5, 1942.  
 James S. Muir, August 5, 1942.  
 Donald E. Pearse, August 5, 1942.  
 Joe E. Pierce, August 5, 1942.  
 Thomas E. Reilly, August 5, 1942.  
 Thomas R. Sedell, August 5, 1942.  
 John F. White, August 5, 1942.  
 Charles B. Clayton, Jr., August 11, 1942.  
 Irving G. Cockroft, August 11, 1942.  
 Thaddeus T. Colman, Jr., August 11, 1942.  
 William L. Garrett, Jr., August 11, 1942.  
 Joseph P. Herr, August 11, 1942.  
 Robert M. Dougherty, August 11, 1942.  
 John C. Fox, August 11, 1942.  
 Dean S. Laird, August 11, 1942.  
 Charles C. McBratnie, August 11, 1942.  
 Delos B. Reeve, August 11, 1942.  
 William H. Simon, Jr., August 11, 1942.  
 George G. Smith, August 11, 1942.  
 Roy P. Sullivan, August 11, 1942.  
 Rodney C. Tabler, August 11, 1942.  
 Thomas F. Wilson, August 11, 1942.  
 Dean W. Houck, September 16, 1942.  
 Harley G. Noland, September 16, 1942.  
 Joseph P. Smith 3d, September 16, 1942.  
 Henry H. Stiles, September 16, 1942.  
 George P. Yonkers, September 16, 1942.  
 Robert W. Anderson, October 1, 1942.  
 Oliver S. Burnette, October 1, 1942.  
 Robert C. Carlson, October 1, 1942.  
 Joseph E. Coberly, Jr., October 1, 1942.  
 Henry H. Dearing, Jr., October 1, 1942.  
 "O" "B" Gray, October 1, 1942.  
 Adler M. Larsen, Jr., October 1, 1942.  
 Earl May, Jr., October 1, 1942.  
 Thomas W. Oliver, Jr., October 1, 1942.  
 Thomas B. Smith, October 1, 1942.  
 Armin H. Williams, Jr., October 1, 1942.  
 Harry W. Worley, October 1, 1942.  
 Edgar R. Britt, October 16, 1942.  
 John Dick, October 16, 1942.  
 Ardis H. Durham, Jr., October 16, 1942.  
 Herbert C. Francisco, October 16, 1942.  
 Alfred J. Henry, Jr., October 16, 1942.  
 Thomas B. Logan, October 16, 1942.  
 William T. Marshall, Jr., October 16, 1942.  
 Norman K. McInnis, October 16, 1942.  
 Jay L. Perrin, October 16, 1942.  
 Rockford L. Phillips, October 16, 1942.  
 Charles S. Porter, October 16, 1942.  
 Clifford K. Spaulding, October 16, 1942.  
 James R. Sprague, October 16, 1942.  
 John W. Topliff, October 16, 1942.



Joseph W. Allen, Jr., November 1, 1942.  
 Courtland T. Babcock, November 1, 1942.  
 Eugene M. Barry, November 1, 1942.  
 Robert L. Braddock, November 1, 1942.  
 John L. Bratten, November 1, 1942.  
 Edward D. Bruffey, November 1, 1942.  
 John E. Darden, Jr., November 1, 1942.  
 John H. Dick, November 1, 1942.  
 James H. Douthit, November 1, 1942.  
 Blake L. Foard, November 1, 1942.  
 Kenneth J. Kler, November 1, 1942.  
 Howard "C" Lee, November 1, 1942.  
 Charles R. Lindler, Jr., November 1, 1942.  
 John W. Miller, November 1, 1942.  
 Ralph W. Mitchell, November 1, 1942.  
 John H. Murray, November 1, 1942.  
 Glyndol W. Pace, November 1, 1942.  
 Lloyd A. Payne, November 1, 1942.  
 George A. Schilling, November 1, 1942.  
 Julius L. Sloan, Jr., November 1, 1942.  
 Henry O. Timm, Jr., November 1, 1942.  
 Edward F. van Lier Ribbink, November 1, 1942.  
 James H. Arquette, November 16, 1942.  
 John W. Bartol, November 16, 1942.  
 William R. Bauhof, November 16, 1942.  
 Allie W. Callan, Jr., November 16, 1942.  
 Oyd L. Dauphin, November 16, 1942.  
 Paul C. Durup, November 16, 1942.  
 William J. Hubbach, Jr., November 16, 1942.  
 George J. Jogan, November 16, 1942.  
 William R. Knopke, November 16, 1942.  
 Lynn H. McCreary, November 16, 1942.  
 William J. Murphy, November 16, 1942.  
 Wilfred S. Schlaefer, November 16, 1942.  
 Clifford N. Seaver, November 16, 1942.  
 Jack H. Stewart, November 16, 1942.  
 Theron J. Taylor, November 16, 1942.  
 Felix E. Ward, Jr., November 16, 1942.  
 Anderson Bowers, Jr., December 1, 1942.  
 James E. Bryan, December 1, 1942.  
 William H. Dewey, December 1, 1942.  
 William C. Diehl, Jr., December 1, 1942.  
 James N. Elens, December 1, 1942.  
 Louis J. Papas, December 1, 1942.  
 Dale M. Shear, December 1, 1942.  
 Gordon K. Sherman, December 1, 1942.  
 Clayton F. Staffel, December 1, 1942.  
 John D. Warner, December 1, 1942.  
 Dallas Webb, Jr., December 1, 1942.  
 Harry T. Brownscombe, December 16, 1942.  
 John K. Davis, Jr., December 16, 1942.  
 Hubert D. Easler, December 16, 1942.  
 Robert "W" Fisher, December 16, 1942.  
 Rueben D. Larson, December 16, 1942.  
 Walter B. Longino, December 16, 1942.  
 John A. Montgomery, December 16, 1942.  
 Joe D. Robbins, December 16, 1942.  
 Russell E. Snow, December 16, 1942.  
 George D. Switzer, December 16, 1942.  
 Harold J. Treon, December 16, 1942.  
 Arthur Wachtel, December 16, 1942.  
 William H. Woodson, December 16, 1942.  
 John W. Kelly, January 1, 1943.  
 Ralph S. Smith, January 4, 1943.  
 Selwyne R. Rackoff, February 15, 1943.  
 Robert McH. Pond, February 18, 1943.  
 Frank C. Dunham, Jr., June 14, 1943.  
 Palmer D. Nycklemoe, June 26, 1943.  
 John N. Cummings, June 28, 1943.  
 Harold W. Stevenson, June 28, 1943.  
 Loren A. McIntyre, June 30, 1941.  
 Cartier Blackburn, July 15, 1941.  
 The following to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), to rank from the date stated opposite their names:  
 William H. Requarth, March 2, 1942.  
 James A. Addison, March 13, 1943.  
 Leonard H. Roach, August 4, 1943.  
 Warren W. Moorman, January 8, 1944.  
 Walter F. Harrison, Jr., January 10, 1944.  
 Joseph C. Bacon, August 8, 1944.  
 John W. Du Chez, September 1, 1944.  
 Henry T. Nichols, September 1, 1944.  
 Norman C. Johnson, September 1, 1944.  
 Richard S. Graves, September 4, 1944.  
 Don L. Andrus, September 4, 1944.  
 Thomas W. Simpson, September 5, 1944.  
 Robert F. Minkus, September 5, 1944.  
 George S. Bova, September 6, 1944.

Charles H. Hine, September 7, 1944.  
 Walter C. Babcock, September 9, 1944.  
 William Province, Jr., September 13, 1944.  
 Carlo B. Marcum, Jr., September 13, 1944.  
 Joseph Q. Perry, September 16, 1944.  
 Lloyd F. Miller, September 29, 1944.  
 George V. Z. Miller, September 29, 1944.  
 Webb S. Alsop, Jr., September 30, 1944.  
 Thomas C. Pomeroy, September 30, 1944.  
 William J. B. Liles, September 30, 1944.  
 Alfred M. Bongiovanni, October 1, 1944.  
 Paul J. Elmlinger, October 1, 1944.  
 Horace G. Butler, October 1, 1944.  
 Robert K. Moxon, October 1, 1944.  
 Bernard L. Rhodes, Jr., October 1, 1944.  
 Robert W. Curry, October 2, 1944.  
 Harry C. Barton, Jr., October 2, 1944.  
 Floyd R. Stauffer, October 2, 1944.  
 Harvey C. Anderson, October 2, 1944.  
 Zondal R. Miller, October 2, 1944.  
 Clifton G. York, October 3, 1944.  
 Richard S. Osterholm, October 3, 1944.  
 Morton H. Leonard, October 3, 1944.  
 Reed R. Haeger, October 3, 1944.  
 Charles F. Samelson, October 3, 1944.  
 Adrian W. Davis, October 3, 1944.  
 Joseph L. Jernegan, Jr., October 3, 1944.  
 Haydon J. Spidel, October 3, 1944.  
 William J. Schewe, October 3, 1944.  
 Raymond A. Brandt, October 3, 1944.  
 Thomas E. Furlow, Jr., October 3, 1944.  
 Emil P. Thelen, October 4, 1944.  
 Joseph Staloff, October 4, 1944.  
 Kay N. Ostergard, October 4, 1944.  
 George W. Hyatt, October 4, 1944.  
 Benjamin H. Glover, Jr., October 4, 1944.  
 Joseph T. Leach, October 5, 1944.  
 Allen E. Berndt, October 5, 1944.  
 Joseph F. Conolly, October 5, 1944.  
 Edward T. Humphreys, October 5, 1944.  
 William Kennett, Jr., October 5, 1944.  
 Robert E. Shiftlet, October 5, 1944.  
 William G. Skipper, October 5, 1944.  
 William Riddler, October 6, 1944.  
 Gordon D. Arnold, October 7, 1944.  
 Hubert Hecht, October 7, 1944.  
 James V. McNulty, October 7, 1944.  
 Dwight W. Burney, Jr., October 8, 1944.  
 Robert H. Delafield, Jr., October 8, 1944.  
 James J. Mulcahy, Jr., October 9, 1944.  
 John G. Converse, October 9, 1944.  
 Charles R. Locke, October 9, 1944.  
 Richard T. Atkins, Jr., October 10, 1944.  
 Carl D. Lusty, October 10, 1944.  
 Carl P. Carlson, October 10, 1944.  
 Albert T. Profy, October 10, 1944.  
 Charles J. Holt, Jr., October 10, 1944.  
 Robert W. Unangst, October 10, 1944.  
 William E. Morris, October 10, 1944.  
 Edward E. Banta, October 10, 1944.  
 John F. Seybolt, October 10, 1944.  
 Larry B. Mathes, October 10, 1944.  
 Wallace W. Gist, October 10, 1944.  
 George A. Sheehan, Jr., October 11, 1944.  
 Donald J. Casey, October 11, 1944.  
 George MacM. Brown, Jr., October 11, 1944.  
 Harold J. Byrne, October 12, 1944.  
 John A. McIntyre, October 12, 1944.  
 Herbert A. Holden, October 12, 1944.  
 Clarence M. Donaldson, October 12, 1944.  
 Frank W. Norman, October 13, 1944.  
 Robert E. Berner, October 13, 1944.  
 Jack V. D. Hough, October 13, 1944.  
 Donald McQ. Clough, October 13, 1944.  
 Donald E. Cowen, October 13, 1944.  
 William T. Burns 3d, October 13, 1944.  
 Joseph D. Wilson, October 14, 1944.  
 William R. Grannis, October 14, 1944.  
 William H. Hall, Jr., October 14, 1944.  
 George M. Adams, October 14, 1944.  
 Robert E. Sumner, Jr., October 18, 1944.  
 Gordon P. Van Buskirk, October 19, 1944.  
 Page W. Acree, October 19, 1944.  
 Jack H. Hirsch, October 19, 1944.  
 Frederick J. McDermott, October 20, 1944.  
 William D. Francisco, November 13, 1944.  
 William A. Slentz, November 16, 1944.  
 Harold L. Low, November 16, 1944.  
 Edwin R. Shapard 3d, November 18, 1944.  
 George C. Manning, Jr., November 19, 1944.  
 The following named officers of the United States Naval Reserve to be assistant paymas-

ters in the Navy, with the rank of ensign, to rank from the date stated opposite their names:

Francis H. McGee, July 8, 1940.  
 Kent D. Algire, October 7, 1940.  
 Edward E. Brighton, August 15, 1940.  
 Robert T. Cosby, March 17, 1941.  
 William W. Gay, Jr., June 16, 1941.  
 Frederick C. Mathis, June 16, 1941.  
 Frank G. Jordan, June 16, 1941.  
 Joseph W. Hatch, June 16, 1941.  
 Robert E. Howell, June 16, 1941.  
 Carl A. Culver, June 17, 1941.  
 Robert H. Rich, June 19, 1941.  
 Robert S. Ersted, June 23, 1941.  
 Johnie L. DeLany, June 23, 1941.  
 Horace W. Blaine, June 27, 1941.  
 Dwight M. Botkin, July 28, 1941.  
 Edward J. Shaughnessy, September 24, 1941.  
 Walter J. Ancker, December 24, 1941.  
 Vincent P. Giuli, March 23, 1942.  
 William T. Chambers, March 23, 1942.  
 Lawrence R. Lee, March 23, 1942.  
 Walter C. Claassen, April 17, 1942.  
 Dove W. Green, Jr., June 20, 1942.  
 Frank A. Baldwin, June 23, 1942.  
 Peter H. Grayum, June 29, 1942.  
 Harold R. Logan, June 29, 1942.  
 Robert W. Wildung, June 29, 1942.  
 George H. Byrom, July 8, 1942.  
 Charles W. Huntsberry, July 13, 1942.  
 Marvin Ostrowsky, July 15, 1942.  
 Harold E. Beckmeyer, July 27, 1942.  
 Ira A. Giles, Jr., July 29, 1942.  
 Albert J. Russell, July 30, 1942.  
 Alvin F. Beumer, August 6, 1942.  
 John A. Scott, August 7, 1942.  
 Robert G. Winden, August 10, 1942.  
 Philip G. Moon, August 10, 1942.  
 Harold W. Simpson, August 13, 1942.  
 Edward C. Oldfield, Jr., August 15, 1942.  
 Marion T. Hvidt, August 15, 1942.  
 Neil Richardson, August 21, 1942.  
 William J. Gray, August 23, 1942.  
 Carl A. Fischer, August 24, 1942.  
 Robert VonChristierson, August 25, 1942.  
 James W. Ramsay, August 25, 1942.  
 Arthur W. O'Connell, Jr., August 27, 1942.  
 Grover D. Rogers, August 31, 1942.  
 Fred W. Shaffer, August 31, 1942.  
 Raymond C. J. Reiner, September 18, 1942.  
 Clement E. Daley, September 26, 1942.  
 William M. Lohse, September 30, 1942.  
 Sidney M. Vickers, October 6, 1942.  
 Charles S. Berger, October 8, 1942.  
 David S. Pool, October 17, 1942.  
 Robert B. Jeppson, Jr., October 30, 1942.  
 Fred L. Heyes, November 14, 1942.  
 Robert M. Stampley, November 14, 1942.  
 Glover H. Cook, November 15, 1942.  
 John C. Busby, Jr., November 15, 1942.  
 Joseph S. O'Neill, November 15, 1942.  
 Richard M. Slettvet, November 15, 1942.  
 Charles M. Withrow, November 15, 1942.  
 Harold H. Hammer, November 16, 1942.  
 William J. Sheehan, November 23, 1942.  
 Dale C. Huebner, January 1, 1943.  
 Eugene F. Ratliff, January 1, 1943.  
 Oswald J. Brosseau, Jr., January 1, 1943.  
 Edward P. O'Rourke, January 6, 1943.  
 Kenneth M. Ross, Jr., January 6, 1943.  
 Edward S. Schroering, January 11, 1943.  
 Charles A. Kirschbaum, Jr., January 11, 1943.  
 Kenneth S. Law, January 11, 1943.  
 Louis J. Reilly, January 11, 1943.  
 Daniel A. Kelley, January 11, 1943.  
 Evans J. Karpenko, January 11, 1943.  
 Donald L. Mulit, January 18, 1943.  
 Kenneth H. Olsen, February 2, 1943.  
 Herbert C. Cornuelle, April 5, 1943.  
 Francis J. Sausen, April 21, 1943.  
 Stanley R. Maslowski, May 11, 1943.  
 Mendel L. Peterson, May 29, 1943.  
 Robert W. Hutchison, June 1, 1943.  
 Harold C. Gwynne, Jr., July 1, 1943.  
 Ensign Edward G. Cunney, United States Coast and Geodetic Survey, to be an assistant civil engineer in the Navy, with the rank of lieutenant (junior grade) to rank from the 1st day of July 1944.

# CONFIRMATIONS

Executive nominations received by the Senate September 15 (legislative day of September 1), 1944:

## IN THE ARMY

### APPOINTMENT IN THE REGULAR ARMY

#### To be major general

Omar Nelson Bradley

### PROMOTIONS IN THE REGULAR ARMY

#### To be colonels, Corps of Engineers

Ralph Gillett Barrows  
Holland Luley Robb

#### To be colonels, Field Artillery

Hamilton Ewing Maguire  
William Roscoe Woodward

#### To be colonel, Corps of Engineers

William Morris Hoge

### TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

#### To be lieutenant generals

Thomas Troy Handy  
Lucian King Truscott, Jr.  
Daniel Isonr Sultan

#### To be major generals

Edwin Davless Patrick  
Norman Daniel Cota  
Frank Dow Merrill  
Eugene Warren Fales  
Robert Wilkins Douglass, Jr.  
Francis Bernard Mallon  
Gilbert Xavier Cheves  
Maurice Rose

#### To be brigadier generals

Henry John Dick Meyer  
Truman Everett Boudinot  
Wayne Clifton Zimmerman  
Philip Guillou Blackmore  
Franklin Babcock  
Thomas Wade Herren  
George Robert Acheson  
Cuthbert Powell Stearns  
Kenner Fisher Hertford  
William Stevens Lawton  
Willard Ames Holbrook, Jr.  
Charles Bishop Lyman  
Hugo Peoples Rush  
Charles Conrad Brown  
Harlan Leslie Mumma  
Tom Christopher Rives  
Don Emerson Carleton  
Joseph Sladen Bradley  
Henry Davis Jay  
David Nathaniel Hauseman  
Fay Roscoe Upthegrove  
Richard Clark Lindsay  
Elmer Forrest Wallender  
John Perry Willey  
Junius Henry Houghton  
Joseph Theodore Morris  
Hamilton Ewing Maguire  
Henry Jeffrey Matchett  
Burton Murdock Hovey, Jr.  
William Robert Clayton Morrison  
Frederick Smith Strong, Jr.

#### To be major generals

Joseph Wilson Byron  
Cyrus Rowlett Smith

#### To be brigadier generals

William James Williamson  
Paul William Johnston  
Charles Merville Spofford  
John Stetson Allard  
Wayne Russell Allen

## IN THE NAVY

### TEMPORARY SERVICE

Chester W. Nimitz to be an admiral in the Navy, for temporary service, to rank from December 31, 1941.

Royal E. Ingersoll to be an admiral in the Navy, for temporary service, to rank from July 1, 1942.

# HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 18, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Praise ye the Lord, for His mercy endureth forever. As the watchmen wait for the morning so we wait for divine guidance; bring our souls into the mood of hoping and trusting in Thee. Unite joy and duty, privilege and responsibility, for we cannot offer a more convincing testimony before our Republic. As the world today is struggling in the shadow of a great crisis, bless our whole land and lead it to seek not only its own aggrandizement but the universal peace and good of mankind.

Eternal God, so often our weakness is more conspicuous than our strength. Man, with his boasted power, weighs the mountains and the hills, yet his immortal soul needs a refuge. We would open our hearts to Thee that they may become the temples of Thy spirit and the vessels of Thy grace. Continue, blessed Lord, our allegiance to the soul and spirit of our dear homeland and grant that our determination may never swerve nor fail until the light of freedom breaks over the dark lands of this striving world. In the name of our blessed Redeemer. Amen.

The Journal of the proceedings of Thursday, September 14, 1944, was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 99. Concurrent resolution relating to the enrollment of H. R. 4271.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 2007. An act for the relief of Lum Jacobs;

S. 2105. An act to amend and supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad-grade crossings, to provide for the immediate preparation of plans, and for other purposes; and

S. Con. Res. 51. Concurrent resolution authorizing a change in enrolling the bill (H. R. 4257) to expatriate or exclude certain persons for evading military and naval service.

## CONSENT CALENDAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar today be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## WAR MOBILIZATION AND RECONVERSION ACT OF 1944

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Speaker, pursuant to the action of the House taken on last Wednesday, I offer a motion, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. DOUGHTON moves to instruct the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the bill (S. 2051) entitled "An act to amend the Social Security Act, as amended, to provide a national program for war mobilization and reconversion, and for other purposes," to insist on their disagreement on section 303 of said Senate bill relating to transportation of civilian workers.

The SPEAKER. The gentleman from North Carolina [Mr. DOUGHTON] is recognized for 1 hour.

## CALL OF THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 111]

Baldwin, Md.	Fitzpatrick	Norton
Baldwin, N. Y.	Ford	O'Brien, N. Y.
Barry	Fulbright	O'Connor
Bates, Ky.	Furlong	O'Neal
Bell	Gale	Patman
Bennett, Mich.	Gallagher	Phillips
Bennett, Mo.	Gibson	Ploeser
Blackney	Gifford	Poage
Bloom	Gilchrist	Poulson
Bolton	Granger	Fracht,
Boykin	Hagen	C. Frederick
Bradley, Mich.	Halleck	Reece, Tenn.
Brehm	Harris, Va.	Richards
Brooks	Hartley	Rizley
Brumbaugh	Hays	Robson, Ky.
Buckley	Hendricks	Rogers, Mass.
Burgin	Hoeven	Russell
Busbey	Hollifield	Sabath
Cannon, Fla.	Holmes, Wash.	Satterfield
Cannon, Mo.	Horan	Sauthoff
Capozzoli	Izac	Schwabe
Carrier	Jackson	Sheppard
Carter	Jennings	Sheridan
Case	Johnson,	Sikes
Clark	Ward	Slaughter
Clason	Judd	Smith, W. Va.
Courtney	Kennedy	Somers, N. Y.
Curtis	King	Stefan
Dewey	Klein	Stevenson
Dickstein	Kunkel	Stockman
Dies	Lambertson	Sullivan
Douglas	LeCompte	Tolan
Drewry	Lemke	Treadway
Elliott	McCord	Vinson, Ga.
Ellis	McKenzie	Wadsworth
Ellsworth	McLean	Wasielewski
Elmer	Miller, Mo.	Weaver
Engle, Calif.	Morrison, La.	Weiss
Fay	Morrison, N. C.	Welch
Fisher	Mundt	Willey

The SPEAKER. On this roll call 312 Members have answered to their names. A quorum is present.

Further proceedings under the call were dispensed with.

## WAR MOBILIZATION AND RECONVERSION ACT OF 1944

Mr. DOUGHTON. Mr. Speaker, I yield myself 10 minutes and ask unanimous consent to revise and extend my remarks.